

PLANNING BOARD MINUTES

July 21, 2025

The Planning Board of the City of Texas City met in a regular meeting on Monday, July 21, 2025, at 5:00 p.m. Staff members present: Ms. Kimberly Golden, P.E. (City Engineer, Secretary), Casey Bennett (Chief Building Official), David Kinchen (Deputy Building Official), Curt Kelly (Engineering & Planning Administrator), Veronica Carreon (Planning & Zoning Technician) and Caroline Luke (Administrative Assistant). Guests were: Becky Collins (Lakeside Bayou, LLC), James Kelly II (Community Roots Holding), William Casanova (JMC Remodeling), Nick Ozuna Jr. (Sprint Companies), & John Herzog (IDS Engineering Group).

Chairman Dickey Campbell indicated a quorum was present and called the meeting to order.

(1) ROLL CALL

The following members answered roll call: Commissioner Jami Clark, Co-Chairman Perry O'Brien, Chairman Dickey Campbell and Member Aric Owens.

(2) APPROVAL OF MINUTES

A motion to approve the minutes of July 7, 2025 was made by Co-Chairman Perry O'Brien / Commissioner Jami Clark. All other members present voted aye.

(3) PUBLIC COMMENTS

There were no public comments.

(4) REGULAR AGENDA

a. Consider and take action on the Development Plan for a Hair Salon and Office Suite. Located at 917 & 921 5th Avenue North.

Ms. Kim Golden gave background on the Development Plan. The development location is an existing commercial building. The applicants are proposing to redevelop it as a hair salon and office suite.

Ms. Kim Golden addressed that the lot is zoned District E-1 Central Business District which district does not have any setback requirements. The lot is undersized at 50x50 but because it is in the Central Business District zone the setbacks are not an issue for this project. One of the biggest challenges in this development is that the service lines cross private property. The applicant/owner has secured easement agreements with the private landowner to remedy this issue.

Ms. Golden then showed the Planning Board members electronic renderings of the development plan and spoke of the revitalization of the existing building. The plans have gone through the internal review process and all comments have been addressed and resolved. The only condition is executing the easement agreement, which the applicant has already done.

Ms. Golden said that there are no staff objections to approving this development.

A motion was made by Commissioner Jami Clark/Co-Chairman Perry O'Brien to approve the Development Plan for 917 & 921 5th Ave North for the development as a Hair Salon and Office Suite.

All other members present voted aye. Motion carried 4-0.

b. Consider and take action on a Request for Extension of Time for the Preliminary Zoning Approval of Lakeside Bayou to complete the bidding, financing and constructions of the Lakeside Bayou Subdivision.

Ms. Kim Golden informed the board that they had previously seen the land plans for Lakeside Bayou, which had originally been approved as the South Lake Subdivision. There have been prior extensions to this project. Ms. Golden explained the location of the subdivision and its status as a Planned Use Development. Under the PUD agreement, the developers will construct homes on varying lot sizes.

Some of the previous extensions on this project were required due to the challenges of crossing pipelines, working with TxDOT on access and determining detention requirements with Texas City, League City, and Dickinson. The technical and permitting issues have been addressed and resolved but the developer needs additional time to secure the financing and start construction of the project. The utility services agreement is also up for extension, but this will go to the City Commission. Approving these extensions will continue the preliminary zoning approval through August 18, 2026.

Ms. Golden said the development representatives from Lakeside Bayou, LLC are present.

Chairman Dickey Campbell recalled that the connection to 646 was contingent upon approval by League City and asked if the developers have received approval. Becky Collins, a representative from Lakeside Bayou, LLC, confirmed that the approval has been obtained from League City.

Commissioner Jami Clark asked if there were still plans in place to install a traffic light at the connection to FM 646. Becky Collins said that the developers are still planning to install a traffic light at the intersection and the installation of the traffic signal is part of the FM 646 widening program by the Texas Department of Transportation (TXDOT). According to the developer's most recent update from TXDOT, work is not expected to reach the FM 646 connection until 2028. The widening project is moving forward and Lakeside Bayou, LLC just deeded the strip of land across its property that TxDOT needed for the widening.

Commissioner Jami Clark inquired as to how many homes would be constructed in Lakeside Bayou. Ms. Collins said that the current subdivision plan shows 960 lots. The developers are prepared to lose four additional lots due to on-site wells and other various reasons. The PUD allows 1200 lots, but the only way to get more than 960 lots would be to reduce the size of the detention pond or acquire a tract of adjacent land in the future. Ms. Collins informed the board that the development is based on percentages of lot sizes. If space for more lots was acquired, they would need to be of varying sizes to align with the PUD's lot size percentage distribution goal.

Commissioner Jami Clark asked about the number of entrances to the subdivision and if there is more than one way in and out. Ms. Collins advised that for Phase I there would be only one access point from FM 646. Commissioner Clark then asked if there would be an entry on FM 3436 as well. Ms. Collins replied that there will be an entry on FM 3436 constructed between Phases I and II.

Becky Collins stated that the initial traffic impact analysis said a traffic light would not be required on FM 646 until the development exceeds 500 developed lots. TXDOT will install the light before Lakeside Bayou reaches this size.

Member Aric Owens asked Ms. Collins if there are any intentions to purchase the tract of land to the east of the current development. Ms. Collins said there are no plans to purchase the land at this time. Lakeside Bayou, LLC's main priority is starting the development for Phase 1. Member Owens then asked about the roadways in Lakeside Bayou creating a dead end abutting the east

tract of land. Ms. Collins explained that the city requires access to the adjacent parcels of land. Ms. Golden stated that whoever develops the adjacent land will want the roads to connect. Whoever develops the adjacent land will be responsible for making the connections.

A motion was made by Co-Chairman Perry O'Brien/Commissioner Jami Clark to approve the Request for Extension of Time for the Preliminary Zoning Approval of Lakeside Bayou to complete the bidding, financing and constructions of new subdivision.

All other members present voted aye. Motion carried 4-0.

- c. Tabled from the April 7, 2025 meeting - Consider and take action on the Final Plat for Marlow Lake Section 5. Being a replat of a 17.968 acre tract of land situated in the W.K. Wilson Survey, Abstract No. 208, in Galveston County, Texas, said tract also being part of that certain 71.660 acre tract conveyed to SSLT, LLC., according to deed recorded under File No. 2019049455, in the Office of the County Clerk of Galveston County, Texas. Located west of SH3 and north of Marlow Lake Section 4 and containing 56 lots and 3 reserves.**

Ms. Golden informed the board that they had seen this project before and the chief concern was the status of the neighborhood park improvement and delays in completion of amenities. Section 5 is the first section of a new subdivision, Marlow Lake North. The original Marlow Lake was comprised of four sections. The fourth section has been platted, but many of the amenities have not been installed for the original subdivision have not yet been installed. The lack of amenity development lead members of the Planning Board to ask questions about how this development started. The matter was tabled to allow additional time to research the history of approvals. Engineering and Planning staff researched the history of the project and the prior approvals. Their findings showed that the original master plan was submitted in 2016 and approved by City Commission. The master plan included a complete lake and amenities surrounding it. After the master plan was approved, additional land was acquired that came to be known as Marlow Lake North. The additional land expanded the size of the lake and added more sections to be subdivided.

Ms. Golden advised that a meeting was held with the developer, the homebuilder, the General Manager of the Sand Mine and a representative of the company that owns the sand mine. During this meeting, the parties involved established a firm date of May 2027 for the sand mining operations to be completed and the sand mining equipment removed for the sand pit to fill with water and become the amenity lake of the plans.

The homebuilder explained its timeline of completing approximately 50 houses per year. This puts the buildout of the remaining three sections ending at the same time as the sand mine closes. There is now a reasonable timeline of when the amenities will be completed. The owner of the sand mine is also proposing that when Section 7 is brought forward for Final Plat, they will bring forward a completion bond for the rest of the amenities. Ms. Golden thinks this is a viable package and could resolve the issue which is holding up approval of the Final Plat of Section 5

Ms. Golden informed the board that representatives from the developer and engineer are in attendance if there are any questions. There is also a copy of the full proposal from the owner about how the completion of the amenities would be phased and cost estimates from the landscape architect. These documents show that the amenities will include fishing piers, pavilions, and picnic areas. There is now more certainty about what the finished product will look like.

Co-Chairman Perry O'Brien asked if this discussion was mostly due to questions about the

amenities or timing of the completion. Ms. Golden said it was mainly about the timing and how to ensure the amenities would get built. If everything is platted and approved for construction, then the city has no more leverage. Posting a bond ensures that the rest of the amenities will be constructed. Member Aric Owens asked Ms. Golden if this is common to see in development. Ms. Golden said it isn't common for there to be so much time between starting a subdivision and completing the amenities. Commissioner Jami Clark asked if this is the best-case scenario to get the amenities completed. Ms. Golden said this is the best-case scenario in this instance.

Chairman Dickey Campbell asked if the completion bond could be instated earlier and if Ms. Golden is comfortable with the timing of the completion bonding. Ms. Golden said that she is comfortable with this arrangement because the City has control of the recording of the final plats which is significant leverage because the developer is not able to sell any of the lots until the plats are recorded. Chairman Campbell asked Ms. Golden if she was okay with not seeing the completion bond until the Final Plat of Section 7 is before the Planning Board for approval. Ms. Golden stated she is comfortable with this arrangement.

Ms. Golden informed the board that the owner has substantial financial depth to them, so she is not worried about them not being able to pay.

Member Aric Owens asked why they should wait until the very end to post the bond and why this arrangement gives her comfort. Ms. Golden restated her comfort stemming from the ability of the City to not record the Final Plat with the Galveston County Clerk until the developers get on track with what they have agreed to do. They will not be able to sell any lots or houses until the plats are recorded.

Chairman Campbell asked if the inability to sell lots only applied to Section 7. Ms. Golden said it also applies to Sections 5 and 6. Chairman Dickey Campbell asked how many lots will be in Section 7. John Herzog, a representative from IDS Engineering Group, said that each section is approximately 50 lots. Mr. Herzog went on to say that he has been working on Marlow Lake since the development of Section 2. He said that his understanding of the bond is that to get Section 6 approved, the amenities for Section 5 must be in place. To get the approval for Section 7, the amenities for Section 6 must be completed. Mr. Herzog said the bond is in place to complete the strip of land along Highway 3 and complete the lake.

Chairman Campbell asked how much the bond would be issued for. Ms. Golden said that the bond would be based on the estimated cost of completion which is estimated to be just over \$1 million at this time. Mr. Herzog added that the total value of the landscaping would be between \$2.5 and \$2.7 million. Chairman Campbell asked if there will be about \$2 million of value on the ground. Mr. Herzog said it may be of greater value than that since the sand mining operation will likely still be in place while Sections 5 & 6 are being built.

Ms. Golden said the amenities package in Section 5 is approximately \$557K, Section 6 is \$710K, and Section 7 will be \$1.1 million. The bond would be brought before the board prior to the Final Plat approval and permission to start construction on Section 7.

Chairman Campbell asked if the completion bond would be approximately \$700 thousand and the value left behind would be about \$2 million. Ms. Golden said that is a possibility. Chairman Campbell said he is comfortable with the arrangement if Ms. Golden is. Ms. Golden said she is comfortable with it in this situation and in similar instances.

Chairman Campbell said that going forward our goal should be to communicate the requirement for a bond earlier. Ms. Golden agreed, that the requirement for a completion bond on the amenities needed to be part of the final platting of the last section of any subdivision. Member Aric Owens said there was nothing in place to prevent them from capturing the bond today and agreed with Chairman Campbell on capturing the bond earlier in future instances. Member

Owens said that this could be seen as a precedent of developing in Texas City. If we can capture the bond now, but don't, what does that tell future developers we ask to capture the bond earlier in the process. Chairman Campbell said the challenge in this case is the sand pit and asked if there were any plans to permit more of these operations. Ms. Golden said there is another one in the works. Chairman Campbell said he thought the city was doing away with sand pit deals. Ms. Golden said she didn't say the board would approve it, but there is an application in process.

Chairman Campbell said a straightforward subdivision is easier to manage timewise. Ms. Golden said the situation is the same with any subdivision when you get to the last section. If the city doesn't have any more plats to hold as leverage, there is no guarantee that the amenities will be completed. Texas City has been fortunate with developers so far, but there was an unexpected delay in this instance. Ms. Golden then restated her comfort with making this a precedent. It is particular to a subdivision being developed while a sand mine is active, and not for standard subdivisions. In the future, there should be a provision in similar conditions for an option to require security. Chairman Campbell said he isn't worried about future developers citing this instance as a reason for extension or late bond capturing because the board still has the authority to reject their request. He also affirmed his support of the staff recommendation. Commissioner Jami Clark stated that she supports the staff recommendation as well.

Member Aric Owens asked what happens if they don't remove the sand mine by the agreed date. Ms. Golden said that by this time, the board will be looking at the Final Plat for Section 7 and could reject the Final Plat.

A motion was made by Commissioner Jami Clark/ Co-Chairman Perry O'Brien to approve the Final Plat for Marlow Lake Section 5 with the following conditions:

- 1. The amenities phasing and completion plan provided by the owner**
- 2. The owner's commitment to post a completion bond as a condition for the approval of the Final Plat for the final section of the subdivision**
- 3. The commitment regarding a date certain for closing of the sand mine as <ay 2027.**

All other members present voted aye. Motion carried 4-0.

(5) GENERAL UPDATES

Ms. Golden updated the board on the implementation of MGO. One of the reasons this switch is being made is in hope of moving the planning and zoning process online. She stated she is very proud of her team for their work so far and hopes to have everything in place this fall.

Member Aric Owens said that he approves of the interactive zoning map available on Texas City's website. He said it has a lot of good information that anyone can use and understand. Co-Chairman Perry O'Brien agreed and mentioned how easy the zoning map is to navigate. Ms. Golden thanked them for their comments.

(6) OTHER BUSINESS

Nothing to discuss.

(7) MOTION TO ADJOURN

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

Kimberly Golden, Secretary

Date

Minutes approved by the Planning Board at its meeting on _____.