



CITY OF BAYTOWN

NOTICE OF MEETING

**PLANNING AND ZONING COMMISSION REGULAR MEETING
TUESDAY, AUGUST 16, 2022
5:00 P.M.
COUNCIL CHAMBER, CITY HALL
2401 MARKET STREET, BAYTOWN, TEXAS 77520**

AGENDA

1. **CALL TO ORDER AND ROLL CALL**
2. **MINUTES**
 - a. Consider approving the meeting minutes of the July 19, 2022, Planning and Zoning Commission regular meeting.
3. **PLATS**
 - a. Consider approving Alexander Baytown Preliminary Replat, being approximately 9.19 acres located on the east side of North Alexander Drive, approximately 735 feet north of Ward Road.
4. **VARIANCES**
 - a. Consider a variance from the requirements of Chapter 18 "Buildings and Building Regulations," Article XIV "Landscaping," Section 18-1206: Streetscape of the Code of Ordinance, Baytown, Texas for property located at 4850 East Wallisville Road.
 - b. Consider a variance from the requirements of Chapter 18 "Buildings and Building Regulations," Article XIV "Landscaping," Section 18-1206: Streetscape of the Code of Ordinance, Baytown, Texas for property located at 8319 North State Highway 146, Baytown, TX.
5. **ZONING**

- a. Conduct a public hearing and consider a request to amend the official zoning map to rezone approximately 55.49 acres of land, located generally east of North Main Street between East Wallisville Road and FM 1942 from Open Space/Recreation (OR) to Mixed Residential at Low to Medium Densities (SF2) Zoning District upon voluntary annexation.
 - b. Consider a request to amend the official zoning map to rezone approximately 35.10 acres generally located near 703 Hunt Road, legally described as Tract 72 PT 15, 16, & 17 Block 20 Highland Farms, Harris County, Texas from General Commercial (GC) to Medium Density Mixed Residential (MF1).
6. **PLANS**
- a. Conduct a public hearing and consider making a recommendation concerning an amendment to Comprehensive Plan 2040.
7. **DIRECTOR'S REPORT**
- a. Receive a report from the Planning Director.
8. **ADJOURN**

PUBLIC NOTICE IS GIVEN THAT IN ADDITION TO ANY EXECUTIVE SESSION LISTED ABOVE, THE PLANNING AND ZONING COMMISSION RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME AS AUTHORIZED BY THE TEXAS GOVERNMENT CODE SECTIONS 551.071 - 551.090 TO DISCUSS ANY OF THE MATTERS LISTED ABOVE.

DOCUMENTS PRESENTED TO THE PLANNING AND ZONING COMMISSION SHALL BE SUBMITTED TO THE COMMISSION AND SHALL REMAIN AS A PART OF THE PUBLIC RECORD, THEREFORE PLEASE ENSURE THAT THE RECORDS BEING PRESENTED ARE NOT THE ONLY COPY AS THEY WILL NOT BE RETURNED TO THE PRESENTER.

THE CITY OF BAYTOWN IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY OF BAYTOWN'S PUBLIC FACILITIES ARE WHEEL CHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REASONABLE MODIFICATIONS AND EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED UPON REQUEST. REQUESTS MUST BE MADE FORTY-EIGHT (48) HOURS PRIOR TO THE MEETINGS, SERVICES OR PROGRAMS. TO MAKE A REQUEST, PLEASE CALL 281-420-6522, OR TO FAX 281-420-6518, OR CONTACT 281-420-6522 VIA RELAY TEXAS AT 711 OR 1-800-735-2988 FOR TYY SERVICES. FOR MORE INFORMATION CONCERNING RELAY TEXAS, PLEASE VISIT: [HTTP://RELAYTEXAS.COM](http://RELAYTEXAS.COM).

Approved for posting:

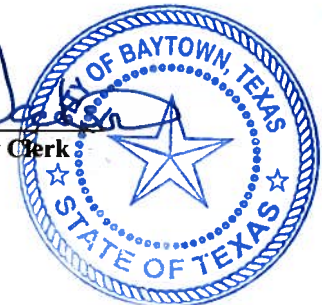


Martin Scribner, Director of Planning and Development Services

Posted by:



Angela Jackson, City Clerk
(SEAL)



Posted this 12th day of August 2022 at 5:00 P.M.



PLANNING AND ZONING COMMISSION

2. a.

Meeting Date: 08/16/2022

Subject: Consider approving meeting minutes of the July 19, 2022, Regular Meeting

Prepared for: Martin Scribner, Planning and Development Services

Prepared by: Nai Mongiello, Planning and Development Services

Information

ITEM

Consider approving the meeting minutes of the July 19, 2022, Planning and Zoning Commission regular meeting.

PREFACE

The minutes of the July 19, 2022, Planning and Zoning Commission regular meeting are attached for your review.

RECOMMENDATION

Staff recommends approval.

Attachments

Minutes



CITY OF BAYTOWN

PLANNING AND DEVELOPMENT SERVICES

MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING Tuesday, July 19, 2022

The Planning and Zoning Commission met at 5:00 p.m. on Tuesday, July 19, 2022, in the Council Chamber located at 2401 Market Street, Baytown, Texas.

Members Present:	Tracey Wheeler	Chairwoman
	Donna Winfrey	Vice Chairwoman
	Tammi Scott	Commissioner
	Agustin Lored	Commissioner
	Helen Berrott-Tims	Commissioner
	Mitchell Pearce	Commissioner
	Stanley Ballou	Commissioner

Members not Present:	Rick Harlow	Commissioner
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Staff Present:	Martin Scribner	Planning Director
	Christopher Chavis	Planning Assistant Director
	Franci Linder	Principal Planning Manager
	Jerris Mapes	Assistant City Attorney
	Trevor Harlow	Planner II
	Lamyaa Salem	Planner II
	Nai Mongiello	Planning Specialist

1. CALL TO ORDER AND ROLL CALL

Chairwoman Tracey Wheeler called the July 19, 2022, Planning and Zoning Commission meeting to order at 5:00 p.m.

Ms. Nai Mongiello called roll and a quorum was verified.

2. MINUTES

- a. **Consider approving the regular meeting minutes of the June 21, 2022, Planning and Zoning Commission meeting.**

Commissioner Agustin Lored

2. PLATS

Mr. Christopher Chavis summarized the following items and asked the Commission to consider Items 3.a. through 3.e. as one item as they are all related and previous versions were approved; the developer has reorganized the sections.

- a. **Consider approving Marigold Meadows Section One Preliminary Plat, being approximately 17.34 acres located south of FM 1942/Crosby Barber's Hill Road and west of North Main Street.**
- b. **Consider approving Marigold Meadows Section Two Preliminary Plat, being approximately 15.97 acres located south of FM 1942/Crosby Barber's Hill Road and west of North Main Street.**
- c. **Consider approving Marigold Meadows Section Five Preliminary Plat, being approximately 25.20 acres located south of FM 1942/Crosby Barber's Hill Road and west of North Main Street.**
- d. **Consider approving Marigold Meadows Preliminary Plat Street Dedication and Reserve, being approximately 6.70 acres located south of FM 1942/Crosby Barber's Hill Road and west of North Main Street.**
- e. **Consider approving Marigold Meadows Preliminary Plat South Detention, being approximately 15.40 acres located south of FM 1942/Crosby Barber's Hill Road and west of North Main Street.**

Commissioner Mitchell Pearce asked if there will be road improvements; Mr. Chavis said that that would be determined during the development phase of the project.

Commissioner Pearce motioned to approve the preliminary plats, seconded by Vice Chairwoman Donna Winfrey. Motion **PASSED** unanimously.

- f. **Consider approving Rollingbrook Estates Section Three Preliminary Plat, being approximately 10.44 acres located south of Rollingbrook Drive and east of Emmett Hutto Boulevard.**

Mr. Chavis summarized the item.

Commissioner Loreda motioned to approve the preliminary plat, seconded by Commissioner Helen Berrott-Tims. Motion **PASSED** unanimously.

- g. **Consider approving Southwinds Section Five Preliminary Plat, being approximately 14.31 acres located north of Kilgore Parkway at the terminus of Crosswinds Drive.**

Mr. Tristan Lyons summarized the item.

Commissioner Scott motioned to approve the preliminary plat, seconded by Commissioner Stanley Ballou. Motion **PASSED** unanimously.

Chairwoman Wheeler read the public hearing procedures.

4. ZONING

- a. **Conduct a public hearing and consider a request to amend the official zoning map to rezone an approximately 14.76 parcel located at 8200 North Main Street from an Open Space/Recreation (OR) to a General Commercial (GC) Zoning District.**

Mr. Chavis summarized the item.

Commissioner Pearce asked how this is not spot zoning; Mr. Chavis answered that the proposed zoning is in line with the guiding documents, namely the Future Land Use Map. Mr. Martin Scribner added that the applicant worked with the property owners to make this request more contiguous as well.

Vice Chairwoman Winfrey motioned to recommend approval of the rezoning, seconded by Commissioner Lored. Motion **PASSED** unanimously.

- b. Conduct a public hearing and consider a request to amend the official zoning map to rezone approximately 13.26 acres located generally south of East Archer Road and directly west of and with frontage on, Barkuloo Road from Open Space/Recreation (OR) to Low Density Single-Family Residential Dwellings (SF1).**

Mr. Trevor Harlow summarized the item.

Mr. Jonathon, attorney representing the owner of the property, stated he was available to answer questions.

Commissioner Lored. motioned to recommend approval of the rezoning, seconded by Commissioner Berrott-Tims. Motion **PASSED** unanimously.

- c. Conduct a public hearing and consider a request to amend the official zoning map to rezone approximately 0.33 acres of land located at 315, 319, 325 East Defee Avenue from a Mixed Residential at Low to Medium Densities (SF2) to a Neighborhood Serving Commercial (NSC) Zoning District.**

Ms., Lamyaa Salem summarized the item.

Commissioner Lored. asked if the rezoning is approved, will the property owners be allowed to expand their businesses. Mr. Scribner said that although it may be possible to expand, it is not expected; he added that the expansion would be subject to compatibility standards such as lot coverage and setbacks.

Commissioner Scott asked if the rezoning would have a negative effect on the surrounding residential properties and their value; Ms. Salem stated that the rezoning will trigger compatibility standards such as screening and landscaping which would likely improve the area.

Commissioner Berrott-Tims motioned to recommend approval of the rezoning, seconded by Commissioner Scott. Motion **PASSED** unanimously.

- d. Conduct a public hearing and consider a request to amend the official zoning map to rezone approximately 25.20 acres generally located at the southeast intersection of Sjolander Road and IH-10 from Open Space/Recreation (OR) to General Commercial (GC) Zoning District.**

Ms. Franci Linder summarized the item.

Commissioner Pearce asked if the property owner plans to further subdivide the property.

Ms. Tiffany Foster, representing the property owner, stated that the owner is no longer interested in developing the property; he is preparing to sell it. A potential buyer has expressed that he has not decided what he is planning for the property.

Vice Chairwoman Winfrey asked if the drainage of the property as well as traffic concerns will be addressed; Ms. Foster stated that those issues will be addressed at the design phase of the project.

Commissioner Pearce motioned to recommend approval of the rezoning, seconded by Vice Chairwoman Winfrey. Motion **PASSED** unanimously.

5. TEXT AMENDMENT

- a. Conduct a public hearing and consider proposed text amendments to the Unified Land Development Code of the City of Baytown to consolidate certain land development ordinances.**

Mr. Chavis summarized the item.

Vice Chairwoman Winfrey motioned to recommend approval of the text amendment, seconded by Commissioner Ballou. Motion **PASSED** unanimously.

6. CONSENT

- a. Consider approving Ashbel Crossing Section Three Final Plat Replat No 1, a section of road along Wild Flora Way, intersected by Red Yucca Drive.**
- b. Consider approving Ashbel Crossing Section One Final Plat Replat No 1, a section of road along Wild Flora Way, intersected by Frontier Trail.**

Commissioner Loreda motioned to recommend approval of the consent agenda, seconded by Commissioner Berrott-Tims. Motion **PASSED** unanimously.

7. DIRECTOR'S REPORT

- a. Receive a report regarding planning and zoning items.**

Mr. Scribner discussed the following planning-related items:

City Council

- Special Use Permit Wisconsin Street approved
- Rezone – 715 Alamo St (GC to SF2)
- Text Amendment – MU

BOA

- Setback reduction approved 8419 Silver Streak Boulevard

Mr. Scribner added that he would like to add some training to the Commission's schedule.

Vice Chairwoman Winfrey announced that Chairwoman Wheeler was recognized for 50 years of service to the Chamber of Commerce.

9. ADJOURN

Vice Chairwoman Winfrey adjourned the meeting at 6:00 p.m.



PLANNING AND ZONING COMMISSION

3. a.

Meeting Date: 08/16/2022

Subject: Consider - Alexander Baytown Preliminary Replat

Prepared for: Martin Scribner, Planning and Development Services

Prepared by: Tristan Lyons, Planning and Development Services

Information

ITEM

Consider approving Alexander Baytown Preliminary Replat, being approximately 9.19 acres located on the east side of North Alexander Drive, approximately 735 feet north of Ward Road.

PREFACE

This Preliminary Replat, legally described as 9.19 acres in the Whitney Britton Survey, Abstract No. 118, Baytown, Harris County, Texas, proposes to dedicate a public street and create three (3) lots in one (1) block, for commercial development.

The application has been reviewed by the Development Review Committee, which found that the application meets the minimum requirements of the Code of Ordinances.

The supporting documents are attached for your review.

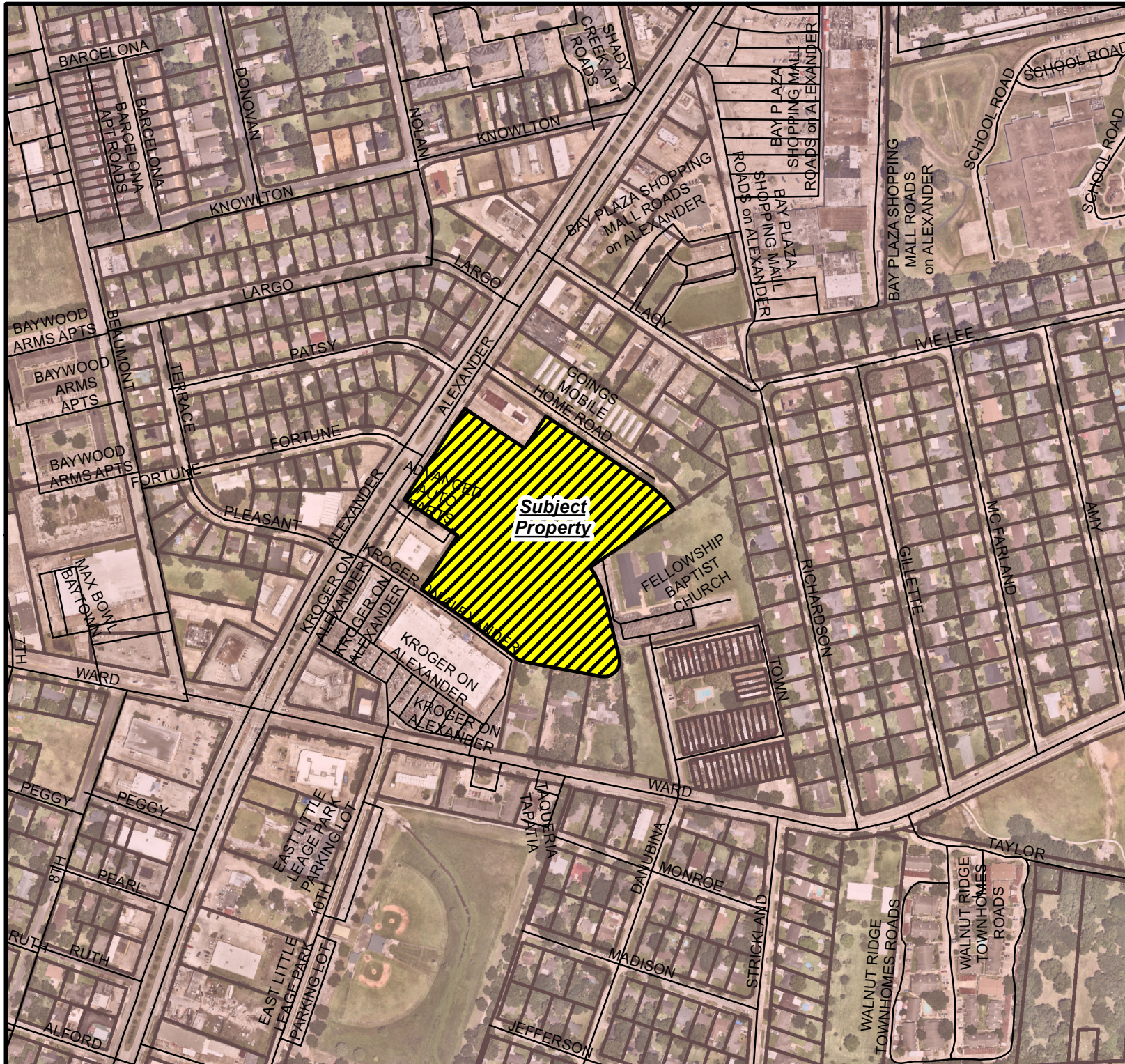
RECOMMENDATION

Staff recommends approval.

Attachments

Vicinity Map



Plat

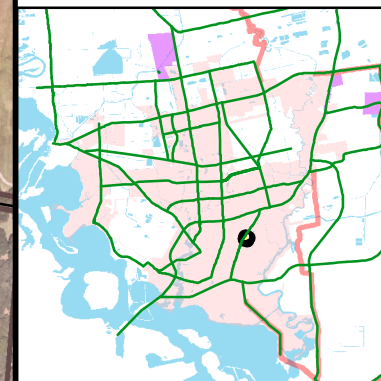


Preliminary Plat **Alexander Baytown**

Vicinity Map

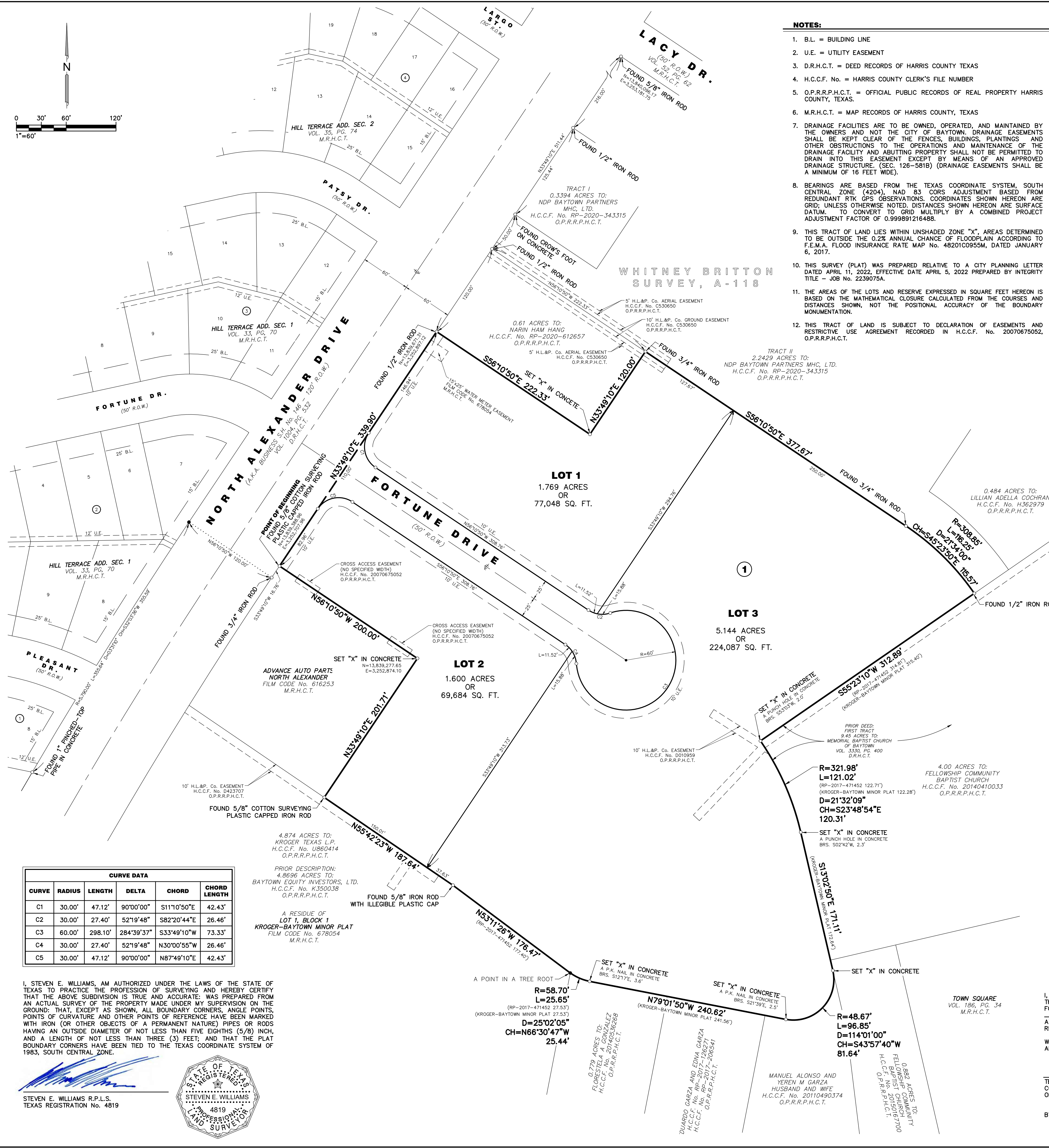
Approx. 9.19 acres

-  Subject Property
-  City Limit



The City of Baytown Texas makes no warranty, representation, or guarantee regarding the accuracy of this map. This map is intended for display purposes only and does not replace official recorded documents.

1 inch = 415 feet Date 2022-08-12



NOTES:

- 1. B.L. = BUILDING LINE
- 2. U.E. = UTILITY EASEMENT
- 3. D.R.H.C.T. = DEED RECORDS OF HARRIS COUNTY TEXAS
- 4. H.C.C.F. No. = HARRIS COUNTY CLERK'S FILE NUMBER
- 5. O.P.R.R.P.H.C.T. = OFFICIAL PUBLIC RECORDS OF REAL PROPERTY HARRIS COUNTY, TEXAS.
- 6. M.R.H.C.T. = MAP RECORDS OF HARRIS COUNTY, TEXAS
- 7. DRAINAGE FACILITIES ARE TO BE OWNED, OPERATED, AND MAINTAINED BY THE OWNERS AND NOT THE CITY OF BAYTOWN. DRAINAGE EASEMENTS SHALL BE KEPT CLEAR OF THE FENCES, BUILDINGS, PLANTINGS AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE DRAINAGE FACILITY AND ABUTTING PROPERTY SHALL NOT BE PERMITTED TO DRAIN INTO THIS EASEMENT EXCEPT BY MEANS OF AN APPROVED DRAINAGE STRUCTURE. (SEC. 126-581B) (DRAINAGE EASEMENTS SHALL BE A MINIMUM OF 16 FEET WIDE).
- 8. BEARINGS ARE BASED FROM THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD 83 COR'S ADJUSTMENT BASED FROM REDUNDANT RTK GPS OBSERVATIONS. COORDINATES SHOWN HEREON ARE GRID; UNLESS OTHERWISE NOTED. DISTANCES SHOWN HEREON ARE SURFACE DATUM. TO CONVERT TO GRID MULTIPLY BY A COMBINED PROJECT ADJUSTMENT FACTOR OF 0.999991216488.
- 9. THIS TRACT OF LAND LIES WITHIN UNSHADED ZONE "X". AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE OF FLOODPLAIN ACCORDING TO F.E.M.A. FLOOD INSURANCE RATE MAP No. 48201C0955M, DATED JANUARY 6, 2017.
- 10. THIS SURVEY (PLAT) WAS PREPARED RELATIVE TO A CITY PLANNING LETTER DATED APRIL 11, 2022, EFFECTIVE DATE APRIL 5, 2022 PREPARED BY INTEGRITY TITLE - JOB No. 2239075A.
- 11. THE AREAS OF THE LOTS AND RESERVE EXPRESSED IN SQUARE FEET HEREON IS BASED ON THE MATHEMATICAL CLOSURE CALCULATED FROM THE COURSES AND DISTANCES SHOWN, NOT THE POSITIONAL ACCURACY OF THE BOUNDARY MONUMENTATION.
- 12. THIS TRACT OF LAND IS SUBJECT TO DECLARATION OF EASEMENTS AND RESTRICTIVE USE AGREEMENT RECORDED IN H.C.C.F. No. 20070675052, O.P.R.R.P.H.C.T.

METES AND BOUND DESCRIPTION

BEING 9.187 ACRES OF LAND SITUATED IN THE WHITNEY BRITTON SURVEY, ABSTRACT No. 118, IN THE CITY OF BAYTOWN, HARRIS COUNTY, TEXAS, BEING ALL OF THAT SAME 9.1559 ACRE TRACT OF LAND DESCRIBED IN THE DEED TO CITY OF BAYTOWN RECORDED IN HARRIS COUNTY CLERK'S FILE NO. RP-2017-471452, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS, BEING A PART OF LOT 1, BLOCK 1 OF KROGER-BAYTOWN MINOR PLAT, A SUBDIVISION RECORDED IN HARRIS COUNTY FILM CODE NO. 678054, MAP RECORDS OF HARRIS COUNTY, TEXAS, SAID 9.187 ACRE TRACT OF LAND IS DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8 INCH "COTTON SURVEYING" PLASTIC CAPPED IRON ROD FOUND ON THE SOUTHEAST RIGHT-OF-WAY LINE OF NORTH ALEXANDER DRIVE (120 FEET WIDE - ALSO KNOWN AS STATE HIGHWAY NO. 146 (BUSINESS)) AS DESCRIBED IN THE DEED TO STATE OF TEXAS RECORDED IN VOLUME 1004, PAGE 532, DEED RECORDS OF HARRIS COUNTY, TEXAS, SAID CAPPED IRON ROD BEING THE WEST CORNER OF SAID 9.187 ACRE TRACT, A WEST CORNER OF SAID LOT 1 AND THE NORTH CORNER OF ADVANCE AUTO PARTS NORTH ALEXANDER, A SUBDIVISION RECORDED IN HARRIS COUNTY FILM CODE NO. 616253, MAP RECORDS OF HARRIS COUNTY, TEXAS, FROM WHICH A 3/4 INCH IRON ROD FOUND FOR THE POINT OF CURVATURE OF SAID NORTH ALEXANDER DRIVE BEARS SOUTH 33 DEGREES 49 MINUTES 10 SECONDS WEST, 16.76 FEET;

THENCE, NORTH 33 DEGREES 49 MINUTES 10 SECONDS EAST, ALONG THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID NORTH ALEXANDER DRIVE, AND A NORTHWEST LINE OF SAID LOT 1, 339.90 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE NORTH CORNER OF SAID LOT 1 AND THE WEST CORNER OF THAT CERTAIN 0.61 ACRE TRACT OF LAND DESCRIBED IN THE DEED TO NARIN HAM HANG RECORDED IN HARRIS COUNTY CLERK'S FILE NO. RP-2020-612657, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS, FROM WHICH A 5/8 INCH IRON ROD FOUND AT THE INTERSECTION OF THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID NORTH ALEXANDER DRIVE WITH THE SOUTHWEST RIGHT-OF-WAY LINE OF LACY DRIVE (50 FEET WIDE - RECORDED IN VOLUME 52, PAGE 62, MAP RECORDS OF HARRIS COUNTY, TEXAS) BEARS NORTH 33 DEGREES 49 MINUTES 10 SECONDS EAST, 511.44 FEET;

THENCE, SOUTH 56 DEGREES 10 MINUTES 50 SECONDS EAST, ALONG THE SOUTHWEST LINE OF SAID 0.61 ACRE TRACT AND A NORTHEAST LINE OF SAID LOT 1, 222.33 FEET TO AN "X" SET IN CONCRETE FOR A RE-ENTRANT CORNER OF SAID LOT 1 AND THE SOUTH CORNER OF SAID 0.61 ACRE TRACT;

THENCE, NORTH 33 DEGREES 49 MINUTES 10 SECONDS EAST, ALONG THE SOUTHEAST LINE OF SAID 0.61 ACRE TRACT AND A NORTHWEST LINE OF SAID LOT 1, 120.00 FEET TO A 3/4 INCH IRON ROD FOUND ON THE SOUTHWEST LINE OF THAT CERTAIN 2.2429 ACRE TRACT OF LAND DESIGNATED AS TRACT II AND DESCRIBED IN THE DEED TO NDP BAYTOWN PARTNERS MHC, LTD. RECORDED IN HARRIS COUNTY CLERK'S FILE NO. RP-2020-643315, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS, SAID IRON ROD BEING THE EAST CORNER OF SAID 0.61 ACRE TRACT AND A NORTH CORNER OF SAID LOT 1, FROM WHICH A 1/2 INCH IRON ROD FOUND FOR THE NORTH CORNER OF SAID 0.61 ACRE TRACT AND THE WEST CORNER OF SAID 2.2429 ACRE TRACT BEARS NORTH 56 DEGREES 10 MINUTES 50 SECONDS WEST, 222.33 FEET;

THENCE, SOUTH 56 DEGREES 10 MINUTES 50 SECONDS EAST, ALONG A NORTHEAST LINE OF SAID LOT 1 AND THE SOUTHWEST LINE OF SAID 2.2429 ACRE TRACT, 377.67 FEET TO A 3/4 INCH IRON ROD FOUND AT THE BEGINNING OF A TANGENT CURVE TO THE RIGHT WHOSE RADIUS IS 308.85 FEET;

THENCE, IN A SOUTHEASTERLY DIRECTION ALONG A NORTHEAST LINE OF SAID LOT 1, THE SOUTHWEST LINE OF SAID 2.2429 ACRE TRACT AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 21 DEGREES 34 MINUTES 00 SECONDS, 116.25 FEET TO A 1/2 INCH IRON ROD FOUND ON THE NORTHWEST LINE OF THAT CERTAIN 9.45 ACRE TRACT OF LAND DESIGNATED AS FIRST TRACT AND DESCRIBED IN THE DEED TO MEMORIAL BAPTIST CHURCH OF BAYTOWN RECORDED IN VOLUME 3330, PAGE 400, DEED RECORDS OF HARRIS COUNTY, TEXAS, SAID IRON ROD BEING THE EAST CORNER OF SAID 9.45 ACRE TRACT, FROM WHICH A PUNCH HOLE FOUND IN CONCRETE BEARS SOUTH 53 DEGREES 03 MINUTES WEST, 2.0 FEET;

THENCE, SOUTH 55 DEGREES 23 MINUTES 10 SECONDS WEST, ALONG THE NORTHWEST LINE OF SAID 9.45 ACRE TRACT, 312.89 FEET (DEED OF SAID 9.1559 ACRE TRACT, 314.81 FEET, PLAT OF SAID LOT 1, 315.40 FEET) TO AN "X" SET IN CONCRETE ON THE NORTHEAST LINE OF THAT CERTAIN 6.2 ACRE TRACT OF LAND DESCRIBED IN THE DEED TO CLAUDE W. WHITE RECORDED IN VOLUME 2068, PAGE 220, DEED RECORDS OF HARRIS COUNTY, TEXAS, SAID "X" IS LYING ON A NON-TANGENT CURVE TO THE RIGHT WHOSE RADIUS IS 321.98 FEET AND WHOSE POINT BEARS SOUTH 53 DEGREES 25 MINUTES WEST, SAID "X" BEING THE NORTHWEST CORNER OF SAID 9.45 ACRE TRACT, FROM WHICH A PUNCH HOLE FOUND IN CONCRETE BEARS SOUTH 53 DEGREES 03 MINUTES WEST, 2.0 FEET;

THENCE, IN A SOUTHERLY DIRECTION ALONG THE NORTHEAST LINE OF SAID 6.2 ACRE TRACT, THE WEST LINE OF SAID 9.45 ACRE TRACT AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 21 DEGREES 32 MINUTES 09 SECONDS, 121.02 FEET (DEED OF SAID 9.1559 ACRE TRACT, 121.71 FEET, PLAT OF SAID LOT 1, 122.29 FEET) TO AN "X" SET IN CONCRETE, FROM WHICH A PUNCH HOLE FOUND IN CONCRETE BEARS SOUTH 02 DEGREES 42 MINUTES WEST, 2.3 FEET;

THENCE, SOUTH 13 DEGREES 02 MINUTES 50 SECONDS EAST, ALONG THE EAST LINE OF SAID 6.2 ACRE TRACT AND THE WEST LINE OF SAID 9.45 ACRE TRACT, 171.11 FEET (PLAT OF SAID LOT 1, 172.64 FEET) TO AN "X" SET IN CONCRETE AT THE BEGINNING OF A TANGENT CURVE TO THE RIGHT WHOSE RADIUS IS 48.67 FEET;

THENCE, IN A SOUTHWESTERLY DIRECTION ALONG THE SOUTHEAST LINE OF SAID 6.2 ACRE TRACT AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 114 DEGREES 01 MINUTES 00 SECONDS, 96.85 FEET TO AN "X" SET IN CONCRETE, FROM WHICH A P.K. NAIL FOUND IN CONCRETE BEARS SOUTH 21 DEGREES 39 MINUTES EAST, 2.5 FEET;

THENCE, NORTH 79 DEGREES 01 MINUTES 50 SECONDS WEST, ALONG THE SOUTH LINE OF SAID 6.2 ACRE TRACT, 240.62 FEET (PLAT OF SAID LOT 1, 241.56 FEET) TO AN "X" SET IN CONCRETE AT THE BEGINNING OF A TANGENT CURVE TO THE RIGHT WHOSE RADIUS IS 58.70 FEET, FROM WHICH A P.K. NAIL FOUND IN CONCRETE BEARS SOUTH 12 DEGREES 17 MINUTES EAST, 3.6 FEET;

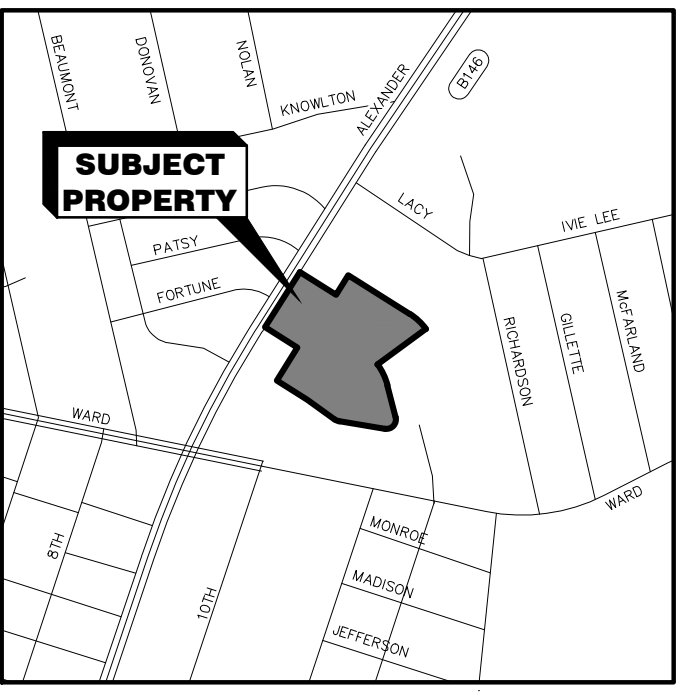
THENCE, IN A WESTERLY DIRECTION ALONG THE SOUTH LINE OF SAID 6.2 ACRE TRACT AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 25 DEGREES 02 MINUTES 05 SECONDS, 25.65 FEET (DEED OF SAID 9.1559 ACRE TRACT, 27.53 FEET, PLAT OF SAID LOT 1, 27.53 FEET) TO A POINT IN A TREE ROOT FOR THE NORTHEAST CORNER OF THAT CERTAIN 4.8696 ACRE TRACT OF LAND DESCRIBED IN THE DEED TO BAYTOWN EQUITY INVESTORS, LTD. RECORDED IN HARRIS COUNTY CLERK'S FILE NO. K350038, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS;

THENCE, NORTH 53 DEGREES 11 MINUTES 26 SECONDS WEST, ALONG THE NORTH LINE OF SAID 4.8696 ACRE TRACT, 176.47 FEET (DEED OF SAID 9.1559 ACRE TRACT, 177.40 FEET) TO A FOUND 5/8 INCH IRON ROD WITH ILLEGIBLE PLASTIC CAP;

THENCE, NORTH 55 DEGREES 42 MINUTES 23 SECONDS WEST, ALONG THE NORTH LINE OF SAID 4.8696 ACRE TRACT, 187.64 FEET TO A 5/8 INCH "COTTON SURVEYING" PLASTIC CAPPED IRON ROD FOUND FOR THE SOUTH CORNER OF SAID ADVANCE AUTO PARTS SUBDIVISION AND FOR A RE-ENTRANT CORNER OF SAID LOT 1;

THENCE, NORTH 33 DEGREES 49 MINUTES 10 SECONDS EAST, ALONG THE SOUTHEAST LINE OF SAID ADVANCE AUTO PARTS SUBDIVISION AND A NORTHWEST LINE OF SAID LOT 1, 201.71 FEET TO AN "X" SET IN CONCRETE FOR THE EAST CORNER OF SAID ADVANCE AUTO PARTS SUBDIVISION AND A RE-ENTRANT CORNER OF SAID LOT 1;

THENCE, NORTH 56 DEGREES 10 MINUTES 50 SECONDS WEST, ALONG THE NORTHEAST LINE OF SAID ADVANCE AUTO PARTS SUBDIVISION AND A SOUTHWEST LINE OF SAID LOT 1, 200.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 9.187 ACRES OF LAND.



STATE OF TEXAS
COUNTY OF HARRIS

WE, CITY OF BAYTOWN, ACTING BY AND THROUGH RICHARD L. DAVIS, ITS CITY MANAGER, OWNER OF THE 9.187 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING MAP OF ALEXANDER-BAYTOWN PRELIMINARY REPLAT, OUT OF THE WHITNEY BRITTON SURVEY, ABSTRACT No. 118, HARRIS COUNTY, TEXAS, AND DEDICATE TO PUBLIC USE, AS SUCH, THE STREETS, ALLEYS, PARKS AND EASEMENTS SHOWN HEREON FOREVER; UNLESS OTHERWISE NOTED AND DO HEREBY WAIVE ANY CLAIMS FOR DAMAGES OCCASIONED BY THE ALTERATION OF THE SURFACE OF ANY PORTION OF STREETS OR ALLEYS TO CONFORM TO SUCH GRADES, AND DO HEREBY BIND OURSELVES, OUR HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DEDICATED.

THIS PLAT OF ALEXANDER-BAYTOWN PRELIMINARY REPLAT ACCURATELY REPRESENTS THE PROPOSED PLAN AND TYPE OF DEVELOPMENT OF THAT CERTAIN 9.187 ACRE TRACT OF LAND SHOWN HEREON. WE DO FURTHER DEDICATE TO THE PUBLIC ALL EASEMENTS AND PUBLIC UTILITIES THEREIN, AND WE HEREBY COVENANT AND RESTRICT THE LAND SHOWN HEREON THIS PLAT TO THE USES AS SHOWN ON THE PLAT, AND NO USE OF SUCH LAND, DIFFERENT FROM THAT SHOWN ON THE RECORDED PLAT SHALL BE MADE UNLESS AND UNTIL ALL ORDINANCE REQUIREMENTS OF THE CITY OF BAYTOWN AND THE LAWS OF THE STATE OF TEXAS APPLICABLE TO SUCH PROPOSED USES SHALL HAVE FIRST BEEN COMPLIED WITH.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT IS HEREBY RESTRICTED TO PREVENT THE DRAINAGE OF ANY SEPTIC TANKS INTO ANY PUBLIC OR PRIVATE STREET, PERMANENT ACCESS EASEMENT, ROAD OR ALLEY OR ANY DRAINAGE DITCH, EITHER DIRECTLY OR INDIRECTLY.

FURTHER, OWNERS DO HEREBY DEDICATE TO THE PUBLIC A STRIP OF LAND FIFTEEN (15) FEET WIDE ON EACH SIDE OF THE CENTER LINE OF ANY AND ALL BAYOUS, CREEKS, GULLIES, RAVINES, DRAWS, SLOUGHS OR OTHER NATURAL DRAINAGE COURSES LOCATED IN SAID PLAT, AS EASEMENTS FOR DRAINAGE PURPOSES, GIVING THE CITY OF BAYTOWN, HARRIS COUNTY, OR ANY OTHER GOVERNMENTAL AGENCY, THE RIGHT TO ENTER UPON SAID EASEMENT AT ANY AND ALL TIMES FOR THE PURPOSE OF CONSTRUCTION AND MAINTENANCE OF DRAINAGE FACILITIES AND STRUCTURES.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT AND ADJACENT TO ANY DRAINAGE EASEMENT, DITCH, GULLY, CREEK OR NATURAL DRAINAGE WAY SHALL HEREBY BE RESTRICTED TO KEEP SUCH DRAINAGE WAYS AND EASEMENTS CLEAR OF FENCES, BUILDINGS, PLANTING AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE DRAINAGE FACILITY AND THAT SUCH ABUTTING PROPERTY SHALL NOT BE PERMITTED TO DRAIN DIRECTLY INTO THIS EASEMENT EXCEPT BY MEANS OF AN APPROVED DRAINAGE STRUCTURE.

IN TESTIMONY WHEREOF, CITY OF BAYTOWN, HAS CAUSED THESE PRESENTS TO BE SIGNED BY RICHARD L. DAVIS, ITS CITY MANAGER, THEREUNTO AUTHORIZED THIS ____ DAY OF _____, 20__.

CITY OF BAYTOWN
BY: RICHARD L. DAVIS, ICMA-OM
CITY MANAGER

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED RICHARD L. DAVIS, CITY MANAGER OF CITY OF BAYTOWN, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN AND HEREIN STATED, AND AS THE ACT AND DEED OF SAID MUNICIPALITY.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____, 20__.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: _____

THIS IS TO CERTIFY THAT THE CITY OF BAYTOWN, TEXAS, HAS APPROVED THIS PLAT AND SUBDIVISION OF ALEXANDER-BAYTOWN PRELIMINARY REPLAT IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF BAYTOWN AS SHOWN HEREON AND AUTHORIZED THE RECORDING OF THIS PLAT, THIS DAY OF _____, 20__.

BY: MARTIN SCRIBNER, AICP, CFM
DIRECTOR OF PLANNING AND DEVELOPMENT SERVICES

Please remove the "s" from the plat name in all relevant locations. Harris county no longer accepts the dash. The name should read "Alexander Baytown Preliminary Replat".

ALEXANDER-BAYTOWN
PRELIMINARY REPLAT

BEING A SUBDIVISION OF 9.187 ACRES OF LAND IN THE WHITNEY BRITTON SURVEY, ABSTRACT No. 118, IN THE CITY OF BAYTOWN, HARRIS COUNTY, TEXAS, BEING A PARTIAL REPLAT OF LOT 1, BLOCK 1 OF KROGER-BAYTOWN MINOR PLAT, A SUBDIVISION RECORDED IN FILM CODE NO. 678054, MAP RECORDS OF HARRIS COUNTY, TEXAS

CONTAINING: 1 BLOCK 3 LOTS

LAND SURVEYOR

BASLINE
DCCM

OWNER

CITY OF BAYTOWN
2401 MARKET STREET
BAYTOWN, TEXAS 77522
PH: 281-422-8281

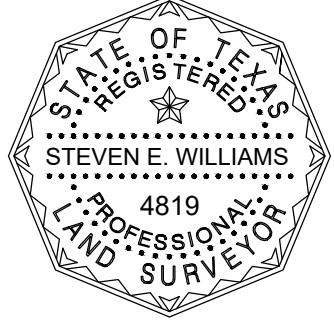
I, TENESHIA HUDSPETH, COUNTY CLERK OF HARRIS COUNTY, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON _____, 20__, AT _____ O'CLOCK _____ M., AND DULY RECORDED ON _____, 20__, AT _____ O'CLOCK _____ M., AND AT FILM CODE NO. _____ OF THE MAP RECORDS OF HARRIS COUNTY FOR SAID COUNTY.

WITNESS MY HAND AND SEAL OF OFFICE, AT HOUSTON, THE DAY AND DATE LAST ABOVE WRITTEN.
TENESHIA HUDSPETH
COUNTY CLERK
OF HARRIS COUNTY, TEXAS
BY: _____
DEPUTY

CURVE DATA				
CURVE	RADIUS	LENGTH	DELTA	CHORD LENGTH
C1	30.00'	47.12'	90°00'00"	S11°10'50"E 42.43'
C2	30.00'	27.40'	52°19'48"	S82°20'44"E 26.46'
C3	60.00'	298.10'	284°39'37"	S33°49'10"W 73.33'
C4	30.00'	27.40'	52°19'48"	N30°00'55"W 26.46'
C5	30.00'	47.12'	90°00'00"	N87°49'10"E 42.43'

I, STEVEN E. WILLIAMS, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND ACCURATE; WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT, EXCEPT AS SHOWN, ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR OTHER OBJECTS OF A PERMANENT NATURE) PIPES OR RODS HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN FIVE EIGHTHS (5/8) INCH, AND A LENGTH OF NOT LESS THAN THREE (3) FEET; AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE.

STEVEN E. WILLIAMS R.P.L.S.
TEXAS REGISTRATION No. 4819





PLANNING AND ZONING COMMISSION

4. a.

Meeting Date: 08/16/2022

Subject: Consider - Variance Request from Chapter 18, Sec. 18-1206 Streetscape

Prepared for: Martin Scribner, Planning and Development Services

Prepared by: Christopher Chavis
Planning and Development Services

Information

ITEM

Consider a variance from the requirements of Chapter 18 "Buildings and Building Regulations," Article XIV "Landscaping," Section 18-1206: Streetscape of the Code of Ordinance, Baytown, Texas for property located at 4850 East Wallisville Road.

PREFACE

Section 18-1206: "Streetscape" requires developments that are larger than one acre to install a 12-foot wide streetscape. The applicant is requesting a variance to reduce the streetscape from 12 feet to six (6) feet. The intent of the article is to provide aesthetic appeal along the major thoroughfares. The streetscape size and width requirements are scaled accordingly to the type of the right-of-way and the size of the development site. The applicant states that during the platting process a 10-foot wide strip of land was dedicated for the future improvements of East Wallisville Road. With that dedication, the applicant has expressed an inability to maximize the development of the site as initially planned. The land is undeveloped and there are no visible physical barriers to hinder the installation of the required streetscape.

The requested reduction is due to the applicant's mistaken assumption that the dedicated area for the East Wallisville Road improvements would be included with the streetscape requirement.

Supporting documentation is attached for your review.

RECOMMENDATION

It is staff's recommendation that the variance be denied. If the Planning & Zoning Commission wishes to approve the proposed variance, staff recommends the following conditions:

1. All landscape islands on the site plan shall be planted with approved evergreen trees; and
2. Any row of parking with more than ten adjoining parking spaces shall require an additional parking island and landscaping to mitigate the paved surface area.

Attachments

Application & Supporting Documents
Proposed Site Plan



LANDSCAPE VARIANCE APPLICATION CITY OF BAYTOWN

App Date: 4/8/2022
Plan Number: ZP22040102

Description: Variance to Streetscape Requirement

Parcel: 1153370010352

Applicant

Saqib Ali
15110 Mintz Lane
Houston, TX 77014
Business: (281) 323-3680

Property

Address
Legal Description Reserve B1 Eastpoint, Harris County, Texas
Acres 2.92

Zoning

Current Zoning: General commercial (GC)

Use

Current Use Type Vacant
Specific Current Use Vacant
Proposed Use Type General commercial (GC)
Specific Proposed Use Retail Sales, Gas Station, and Laundry Facility

Applicant Statement

Explain how the imposition of the terms, rules, conditions, policies and standards of this article would deprive the owner or applicant of the property of reasonable use of the land or building.

We are very limited on the landscaping buffer area, due to the fact that we had dedicated 10 ft to the city for right of way and our site plan was already tight fitted and if we are required the 12 ft then our development won't fit.

Explain how the circumstances supporting the granting of the variance are not the result of a hardship imposed or created by the applicant, and the general purposes of this article are observed and maintained.

1. We just found online Baytown Thoroughfare Plan, dated 08-24-2021. We did fail to see this Plan in PDF before our application. We had DRC meeting attending



LANDSCAPE VARIANCE APPLICATION CITY OF BAYTOWN

in person on Tuesday, March 23, 2021, at 3:00 p.m. and on Wednesday, February 2, 2022, at 9:30 a.m. No one informed us about it, and we overlooked this detail.

In the first review comment,

Zoning Planner II • Lindsey (BBG) Jessica on 01/22/2022 noted on number

9. Provide a tree compliant with Sec. 18-1206 for collector roadways. a. Live Oak is not permitted.

We called City and result was (From someone) East Wallisville Road is Collector, and the site plan was prepared considering East Wallisville Road as Collector.

We applied site work on 12-18-2021.

2. We had to dedicate 10 feet of land which is 0.1220 acre (5,311 SF) dedicated to the City as City required for East Wallisville Road during PLAT approval.

The Architectural Control Committee for Eastpoint Property Owner's Association, Inc. approved the site plan on January 26, 2022.

3. Now in the 2nd time review comments we found:

"Due to the right-of-way dedication, the required 12' landscaping buffer is not provided (original plat had a 15' landscaping buffer, but an additional 10' was dedicated by plat). Revise plans to show the required 12' landscaping buffer as required for minor arterials with over an acre. Minor Arterial Lot Size Minimum Street Width 1 acre or less 6 feet More than 1 acre 12 feet"

Our site plan has every inch accounted for and with our development/ and city requirements we have no room to expand our Landscaping Buffer. I would like to humbly request for a variance for the Landscaping Buffer. We have no more space to expand the buffer area. If need to be, we can set up a in person meeting. We would like City of Baytown to help us to develop this project which will generate revenue for the City and County. We take full responsibility and would like the city to consider our variance.

Explain how the intent of this article will be preserved.

We will provide as much green area as we can.

Explain how the granting of such a variance will not be injurious to the public health, safety or welfare.

Our development will be compliment to the city and giving us the variance will not put any public at risk or cause any safety concern.

CITY OF BAYTOWN LANDSCAPING ORDINANCE:
SEC. 18-1201 (a):

ZONING: NSC

CITY OF BAYTOWN LANDSCAPING REQUIREMENTS:
Sec. 18-1205. - Landscaping requirements.

(a)The owner of the property on which an off-street parking area is located shall be required to provide interior landscaped open spaces for any parking lot 5,000 square feet or larger. All areas within the parking lot's perimeter are counted toward the landscape requirement, including the planting islands, curbed areas, parking spaces, and all interior driveways and aisles. The required landscape open space area shall be calculated as follows:

Total Off-street Parking Area Percent of the Off-street Parking Area that must be a Landscaped Open Space Area

5,000 - 9,999 square feet 5 percent
Over 9,999 square feet 7 percent

At least 50 percent of the required landscaped open space shall be located within the parking lot as an island or as a peninsula in order to be applied towards the landscaped requirements of this section. The remaining 50 percent of the required landscape open space may be located outside of the parking lot, but must be located forward of the rear building line of the primary structure and be visible from the public street.

TOTAL OFF-STREET PARKING AREA: 60,013 SF
TOTAL LANDSCAPING OPEN SPACE AREA REQUIRED: (7%=4,200 SF)
50% OF LANDSCAPING OPEN SPACE AREA: (0.50 X 4,176 = 2,100 SF)
TOTAL LANDSCAPING AREA PROVIDED OUTSIDE THE PARKING LOT: 5,277 SF
TOTAL LANDSCAPING AREA PROVIDED WITHIN THE PARKING LOT: 2,404 SF

ARTICLE XIV. - LANDSCAPING
Sec. 18-1206. - Streetscape.

(g) Streetscape planting installation.

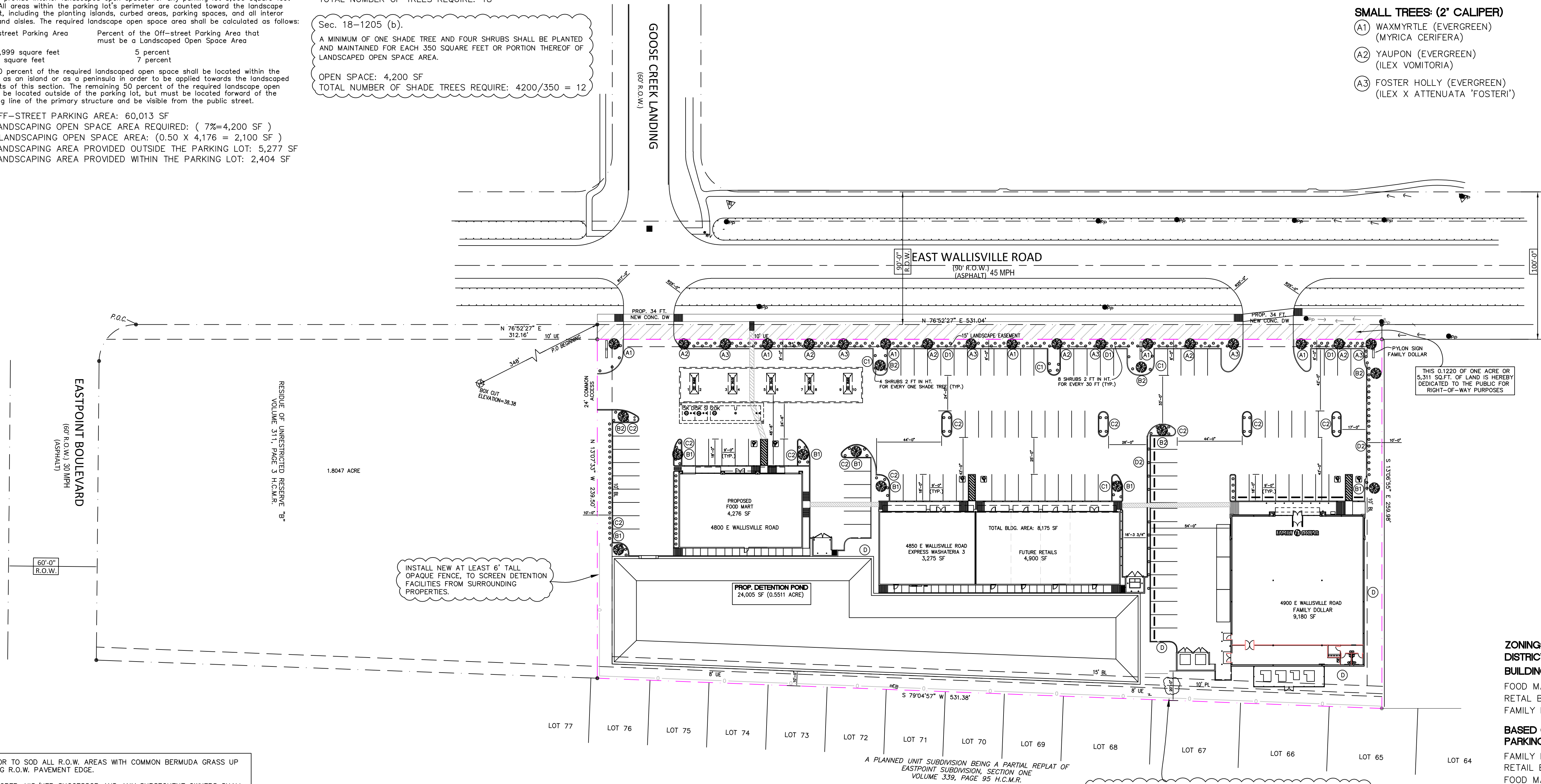
(3) Local and/or collector. The streetscape along local and collectors street shall be planted with either large or small trees, planted 30 feet on center, with eight shrubs, not less than two feet in height, for every 30 feet.

TOTAL FRONTAGE ROAD: (531.04 FT.)
TOTAL NUMBER OF TREES REQUIRE: 18

Sec. 18-1205 (b).

A MINIMUM OF ONE SHADE TREE AND FOUR SHRUBS SHALL BE PLANTED AND MAINTAINED FOR EACH 350 SQUARE FEET OR PORTION THEREOF OF LANDSCAPED OPEN SPACE AREA.

OPEN SPACE: 4,200 SF
TOTAL NUMBER OF SHADE TREES REQUIRE: 4200/350 = 12

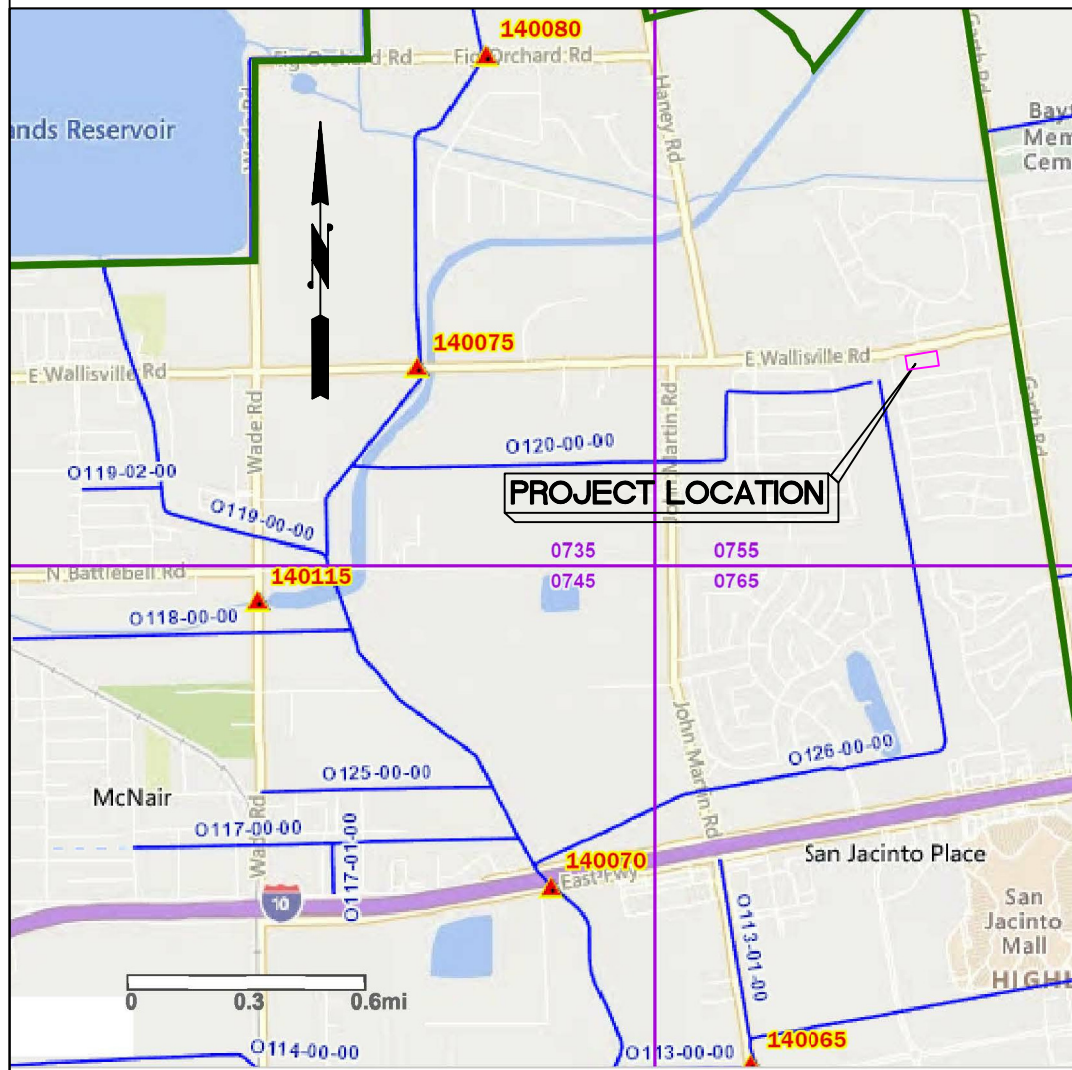


CONTRACTOR TO SOD ALL R.O.W. AREAS WITH COMMON BERMUDA GRASS UP TO EXISTING R.O.W. PAVEMENT EDGE.

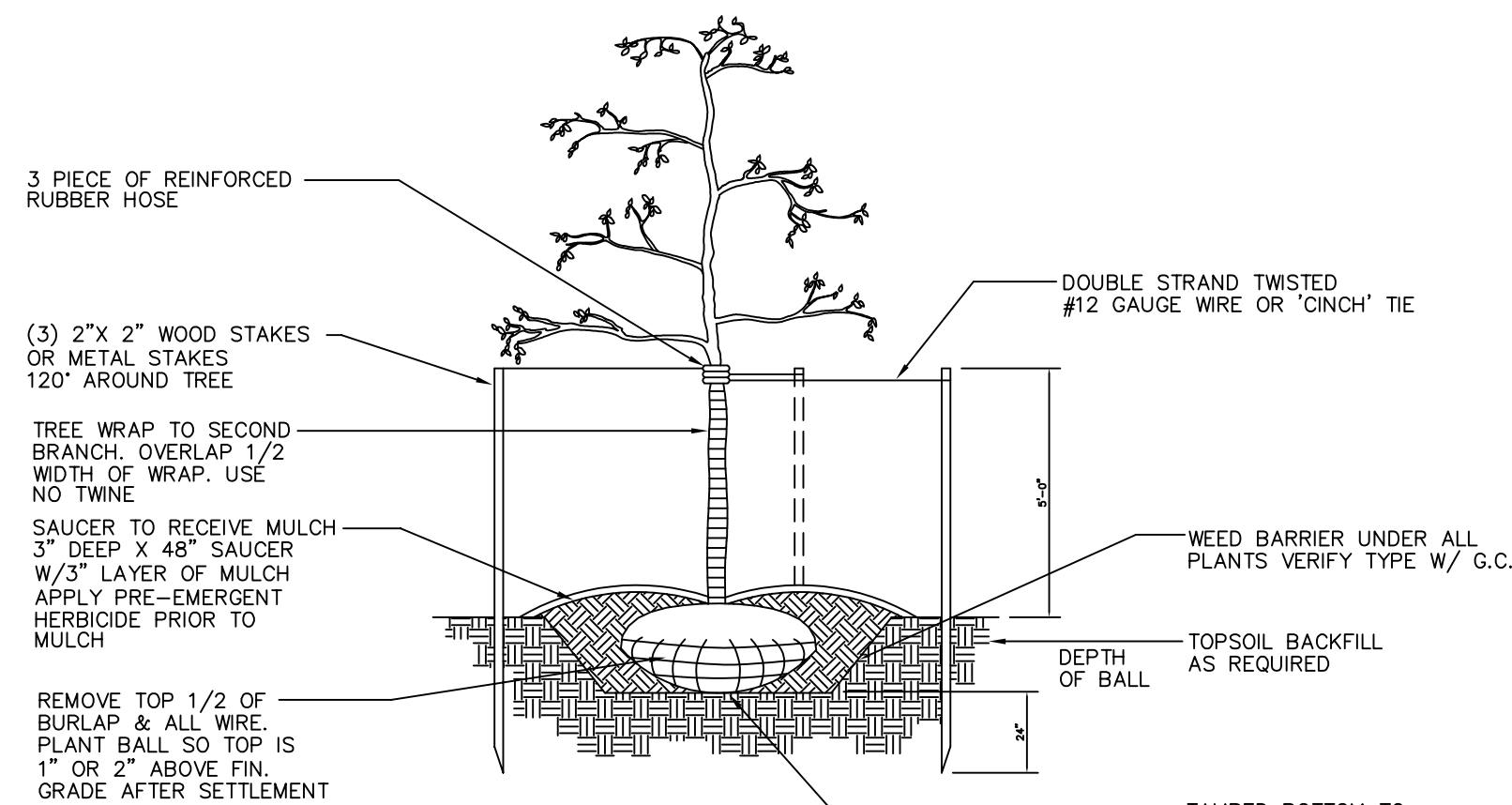
THE DEVELOPER, HIS/HER SUCCESSOR AND ANY SUBSEQUENT OWNERS SHALL BE RESPONSIBLE FOR MAINTENANCE OF LANDSCAPING ON THE PROPERTY ON A CONTAINING BASIS FOR THE LIFE OF THE DEVELOPMENT.

ALL LANDSCAPE MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH THE CURRENT PLANTING PROCEDURES ESTABLISHED BY "THE MOST RECENT EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK", AS PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN.

VICINITY MAP KEY MAP NO. 461N



B TREE PLANTING AND STAKING NOT TO SCALE



DEVELOPMENT/LANDSCAPING

SCALE: 1" = 40'

DEVELOPED LAND AREA: 2.9225 AC (127,306 SF)
DEDICATED LAND AREA: 0.1220 AC (5,311 SF)

EASTPOINT SECTION ONE MINOR REPLAT ARCHPOINT CAPITAL LLC, A SUBDIVISION OF 3.0445 ACRES OF LAND, BEING A PARTIAL REPLAT OF UNRESTRICTED RESERVE "B" OF A PLANNED UNIT DEVELOPMENT BEING A PARTIAL REPLAT OF EASTPOINT SUBDIVISION SECTION ONE RECORDED UNDER VOL. 319, PG. 95, M.R.H.C. SITUATED IN THE TALLCOTT PATCHING SURVEY, ABSTRACT NO. 620 CITY OF BAYTOWN, HARRIS COUNTY, TEXAS.

KEY NOTES:

- 1 SMALL TREES
SHALL BE 2" CALIPER
- 2 EIGHT SHRUBS NOT LESS THAN TWO FEET
IN HEIGHT, FOR EVERY 30 FEET.
IN OTHER AREA MIN. SIZE ONE GALLON
AND MIN. 1 1/2" IN HT.

SMALL TREES: (2' CALIPER)

- A1 WAXMYRTLE (EVERGREEN)
(MYRTICA CERIFERA)
- A2 YAUPON (EVERGREEN)
(ILEX VOMITORIA)
- A3 FOSTER HOLLY (EVERGREEN)
(ILEX X ATTENUATA 'FOSTERI')

SHADE TREES: (2' CALIPER)

- B1 SWEETBAY MAGNOLIA (EVERGREEN)
(MAGNOLIA VIRGINIANA)
- B2 COMMON Crape Myrtle (DECIDUOUS)
(LAGERSTROEMIA INDICA))

SHRUBS

- C1 WAXLEAF LIGUSTRUM
- C2 DWARF YAUPON HOLLY

GRASS

- D SOLID SOD HYBRID BERMUDA
(ALL OPEN LANDSCAPED AREAS, TYP.)

ZONING: NSC
DISTRICT: 3

BUILDING AREAS SUMMARY:

FOOD MART (4800 E WALLESVILLE RD) = 4,276 SF
RETAIL BLDG (4850 E WALLESVILLE RD) = 8,175 SF
FAMILY DOLLAR (4900 E WALLESVILLE RD) = 9,180 SF

BASED ON CHAPTER 112, SEC. 112-4, CITY OF BAYTOWN:
PARKING SPACES REQUIRED:

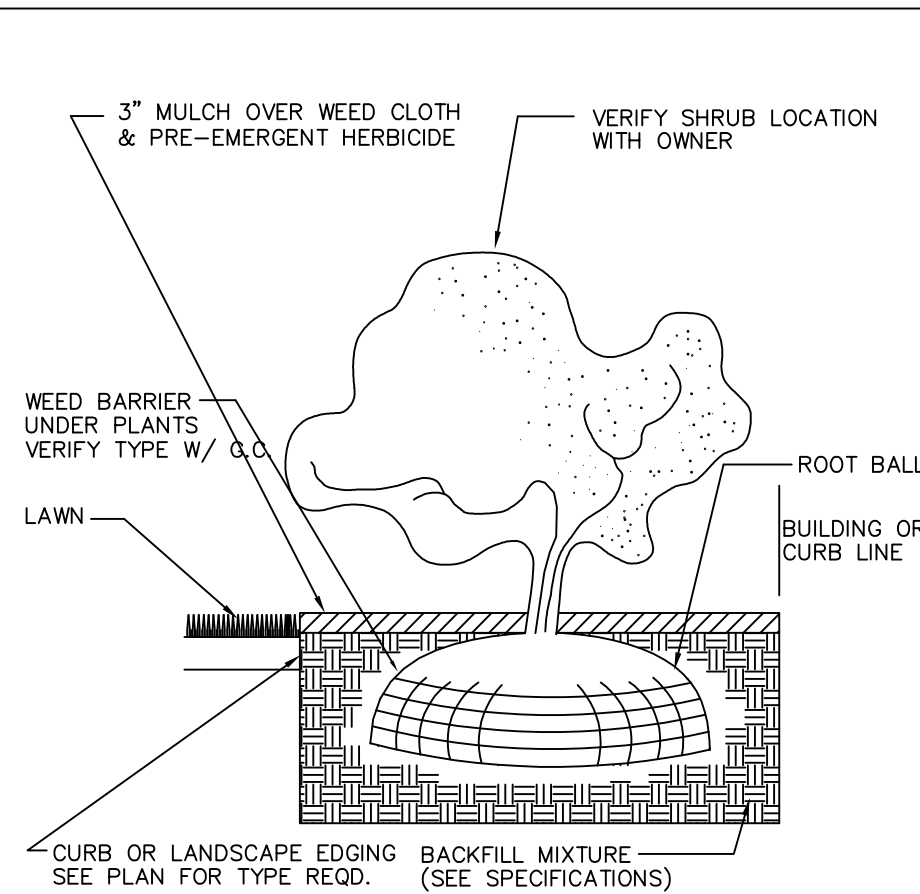
FAMILY DOLLAR: 46 SPACES
RETAIL BLDG: 41 SPACES
FOOD MART: 21 SPACES
TOTAL: 108 SPACES
PROVIDED: 108 SPACES

SEC. 112-8, CITY OF BAYTOWN:

SIZE OF PARKING STALL: 9'-0" X 18'-0"

ADA PARKING REQUIREMENT:

REQUIRED RESERVED STALL = 5 SPACES
PROVIDED RESERVED STALL = 6 SPACES



A SHRUB PLANTING FOR SHRUB BEDS NOT TO SCALE



P M Associates
PETE MONTELONGO
architect
110A Northwood
Houston, Texas 77009
281.748.1948

N & N ENGINEERING, LLC
P-21432
ismail@nnengineer.com
281.748.1948
1914 Kelliwood Trails Dr
Katy, Texas 77450

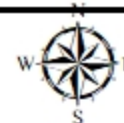
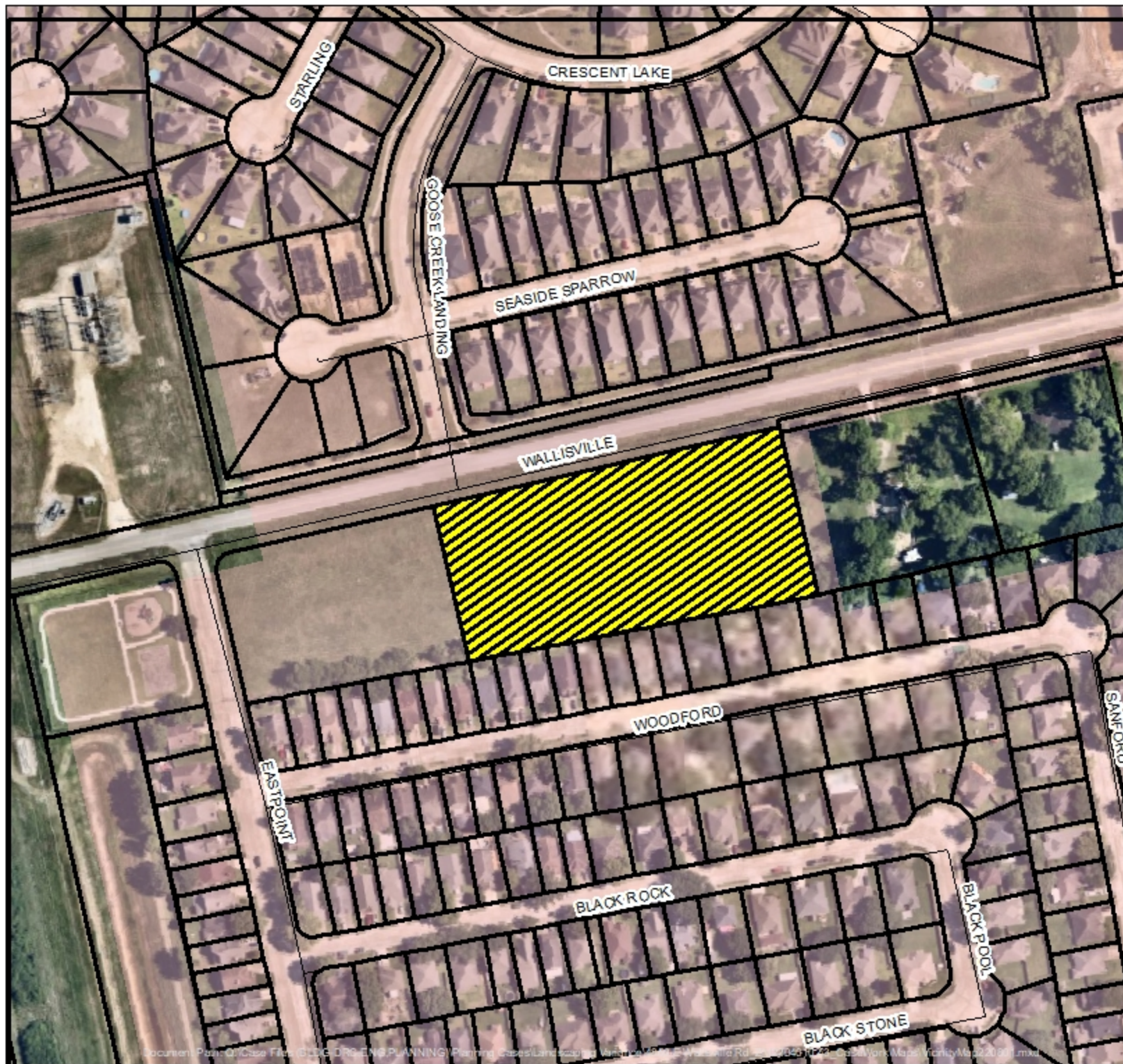
THIS DRAWING, INCLUDING ANY INFORMATION AND DETAILS, IS THE PROPERTY OF N & N ENGINEERING, LLC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED, COPIED, OR PHOTOCOPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF N & N ENGINEERING, LLC. THE CONTRACT DOCUMENTS WERE PREPARED FOR USE ON THIS PROJECT. IF THIS DRAWING IS USED FOR ANY OTHER PROJECT, THE USER ASSUMES ALL LIABILITY FOR ANY ERRORS, OMISSIONS, OR INADEQUACIES. N & N ENGINEERING, LLC, AND ITS EMPLOYEES, AGENTS, AND SUBCONTRACTORS, SHALL NOT BE RESPONSIBLE FOR ANY SUCH ERRORS, OMISSIONS, OR INADEQUACIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR THE PROPER EXECUTION AND COMPLETION OF THE WORK.

NO.	REVISIONS/ SUBMISSIONS	ISSUE DATE
1		06-14-20
2		08-17-21
3		10-24-21
4		12-08-21
5		02-08-22

PROJECT NO: P2101
DRAWN: 1
CHECKED: 1
CAD FILE NO.

PROJECT TITLE
ARCHPOINT @ E WALLISVILLE ROAD
4850 EAST WALLISVILLE ROAD
BAYTOWN, TX 77521
OWNER:
ARCHPOINT VENTURES LLC
DRAWING TITLE
LANDSCAPE SITE PLAN

DRAWING NUMBER
L-O
SHT 20 OF 27




Landscape Variance

Vicinity Map


4850 East
Wallisville Road

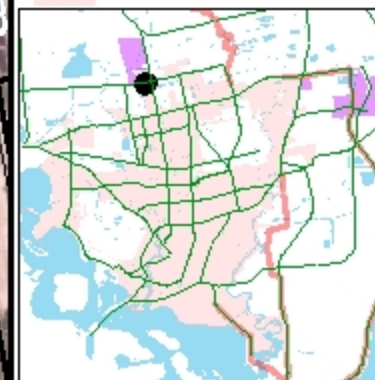
Variance to
streetscape
requirement
from 12 ft.
to 6 ft.

Approx. 2.92 acres

 Subject_Property

City Limits

 City of Baytown



The City of Baytown, Texas makes no warranty, representation, or guarantee regarding the accuracy of this map. This map is intended for display purposes only and does not replace official recorded documents.
1 inch = 200 feet Date 2022-08-01



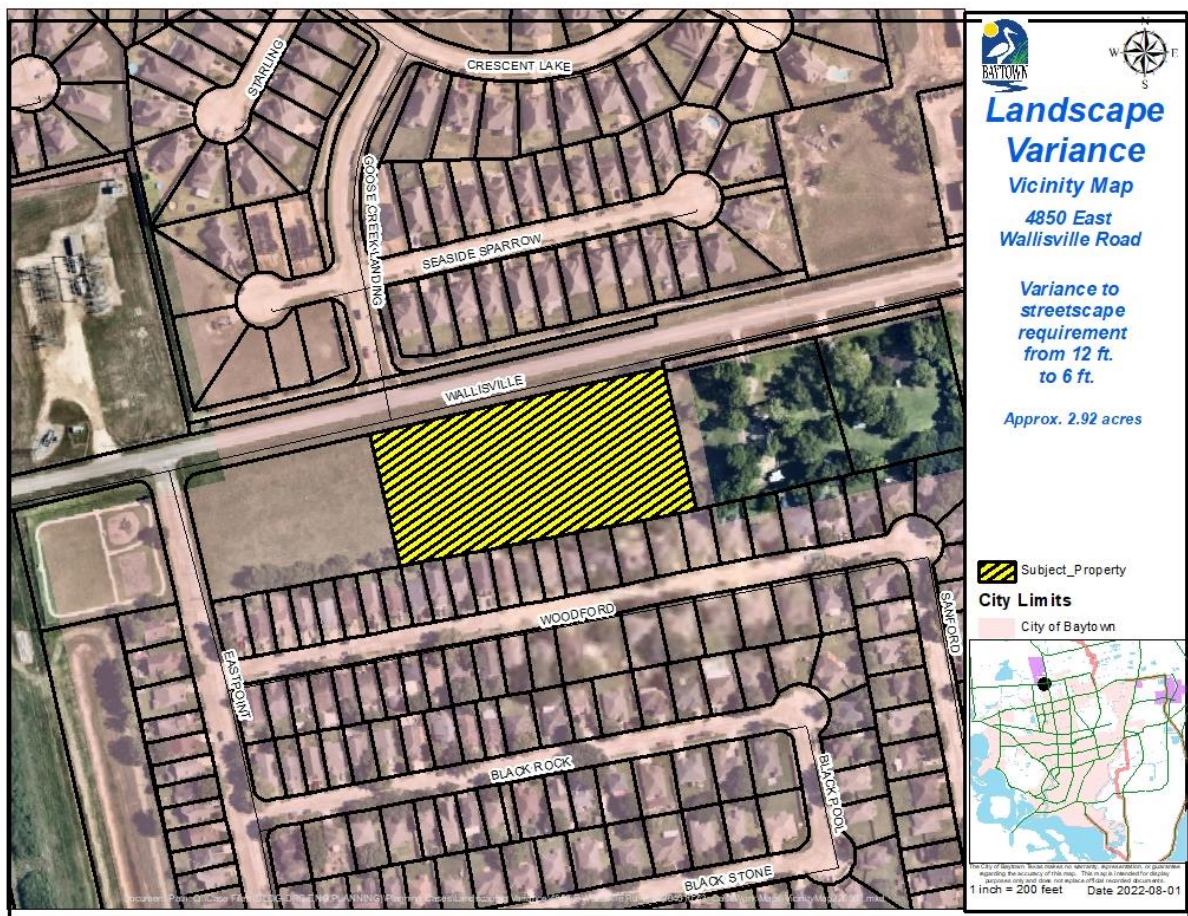
**City of Baytown
Streetscape Variance
Staff Report
August 16, 2022**

Requested Action: Variance from the requirements of Chapter 18 "Buildings and Building Regulations," Article XIV "Landscaping," Section 18-1206: Streetscape of the Code of Ordinance, Baytown, Texas for property located at 4850 East Wallisville Road.

Applicant: Saqib Ali

Owner: Saqib Ali

Subject Property: Approximately 2.92 acres, for properties located at 4800 and 4850 East Wallisville Road, legally described as Reserve B1 Eastpoint, Harris County, Texas.



Vicinity Map

Parcel Information: Zoning: Neighborhood Serving Commercial (NSC)
Use: Retail Sales, Gas Station, and Laundry Facility

Surrounding Properties Information:

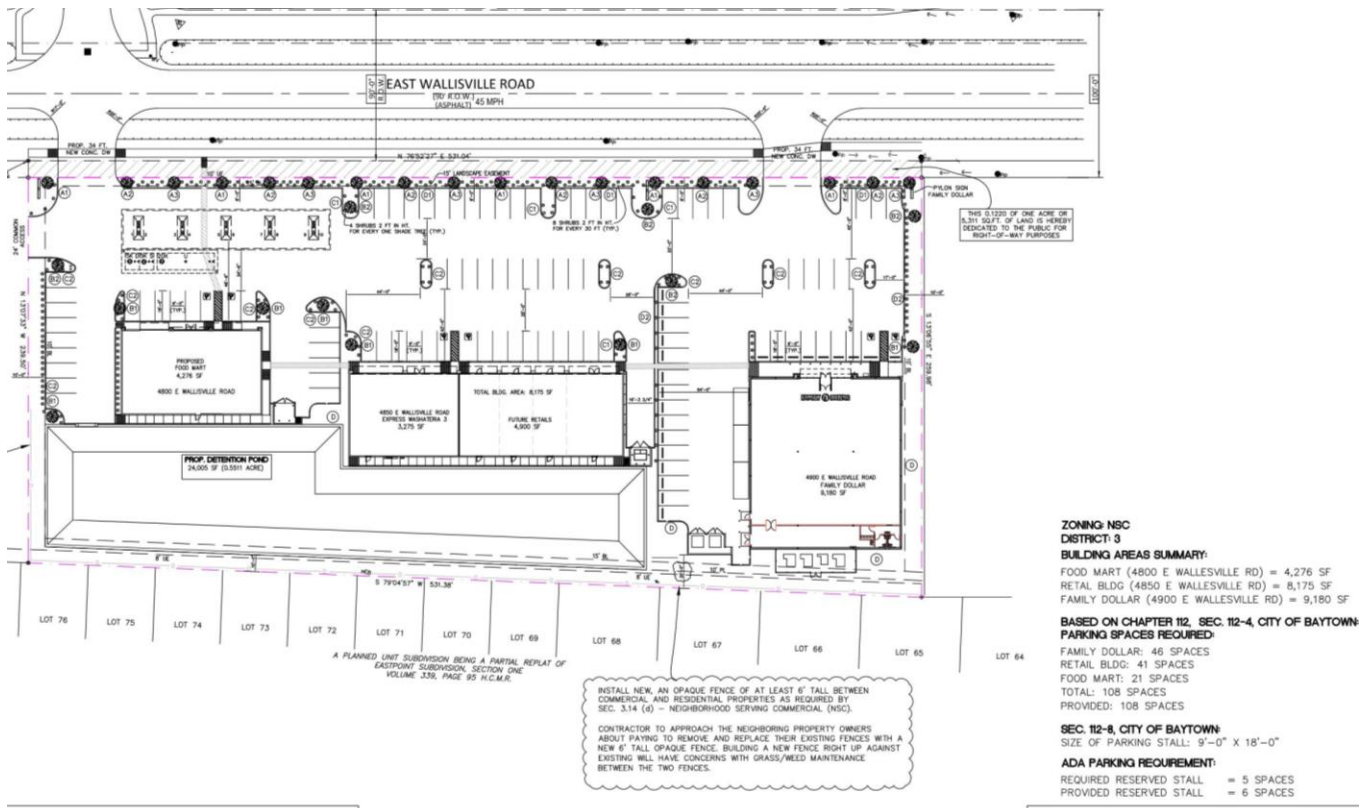
North: Mixed Residential at Low to Medium Densities (SF2);
West: Neighborhood Serving Commercial (NSC)
East: Residential house, unincorporated Harris County
South: Mixed Residential at Low – Medium Density (SF2)

Background

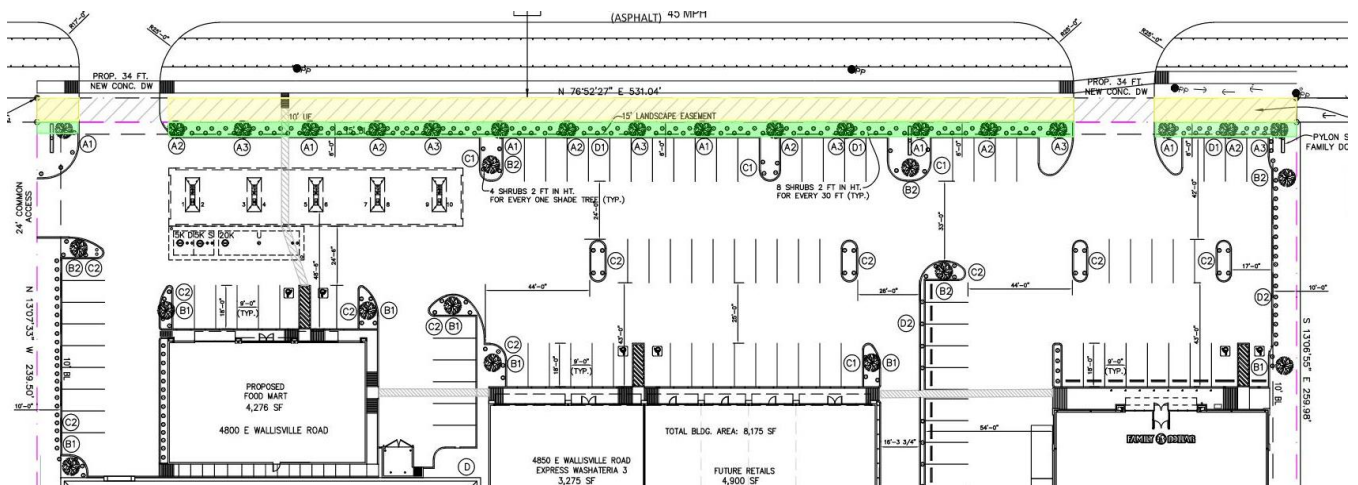
The subject property, consisting of 2.92 acres, has frontage on East Wallisville Road, an arterial street. Article XIV "Landscaping," Section 18-1206: "Streetscape" requires developments that are larger than one acre to install a 12-foot wide streetscape. Streetscape shall include an area beginning at the property line which is adjacent to a street right-of-way, and extending into the private property to the required width.

The applicant is requesting a variance to reduce the streetscape from 12 feet to six (6) feet. The applicant states that during the platting process a 10-foot wide strip of land was dedicated for the future improvements of East Wallisville Road. With that dedication, the applicant has expressed an inability to maximize the development of the site as initially planned.

The property is currently undeveloped. The site plan depicts three buildings, totaling more than 21,000 square feet of building area, and 108 parking spaces.



Proposed Site Plan



Proposed Streetscape and Right-of-way Dedication

ROW Dedication
Proposed Streetscape

In order to approve an application for a variance, the Planning and Zoning Commission shall make an affirmative finding that the following criteria are met:

1. *The imposition of the terms, rules, conditions, policies and standards of this article would deprive the owner or applicant of the property of reasonable use of the land or building;*

The rules do not deprive the applicant of reasonable use of the land. After platting and dedicating property for the East Wallisville Road improvements, the applicant has 2.92 acres of area to design the site for neighborhood scale commercial uses.

The land is undeveloped and there are no visible physical barriers to hinder the installation of the required streetscape. The applicant would need to redesign the proposed site plan. In that design, the applicant can propose different building configurations and massing to make space for the required streetscape. However, the applicant does not desire to revise the site plan or pursue the suggested options.

2. *The circumstances supporting the granting of the variance are not the result of a hardship imposed or created by the applicant and the general purposes of this article are observed and maintained; Is not a hardship of the applicant's own making;*

The requested reduction is due to the applicant's mistaken assumption that the dedicated area for the East Wallisville Road improvements would be included with the streetscape requirement. The original plan submittal shows a "15-foot landscape easement" that includes a row of planted trees and the 10-foot wide property dedication for public use. The applicant was not aware that the dedicated area and the streetscape were separate required provisions.

3. The intent of the article is preserved;

The intent of the article is to provide aesthetic appeal along the major thoroughfares. The streetscape size/width requirements are scaled accordingly to the type of the ROW and the size of the development site. If the variance request is granted, the aesthetic impact of the article will be reduced, but because the same number of plantings will be required, the proposed streetscape will maintain the intent of the article.

4. *The granting of such variance will not be injurious to the public health safety or welfare.*

The granting of this reduced streetscape will not be injurious to the public, health or safety. The granting of the variance will permit this development to install a six-foot wide streetscape.

It is staff's recommendation that the variance be denied. If the Planning & Zoning Commission approves the proposed variance, staff recommends the following conditions:

- 1) All landscape islands on the site plan shall be planted with approved evergreen trees; and
- 2) Any row of parking with more than ten adjoining parking spaces shall require an additional parking island and landscaping to mitigate the paved surface area.



PLANNING AND ZONING COMMISSION

4. b.

Meeting Date: 08/16/2022

Subject: Consider - Variance Request from Chapter 18, Sec. 18-1206 Streetscape

Prepared for: Martin Scribner, Planning and Development Services

Prepared by: Christopher Chavis
Planning and Development Services

Information

ITEM

Consider a variance from the requirements of Chapter 18 "Buildings and Building Regulations," Article XIV "Landscaping," Section 18-1206: Streetscape of the Code of Ordinance, Baytown, Texas for property located at 8319 North State Highway 146, Baytown, TX.

PREFACE

The subject property undeveloped and has approximately 240 feet of road frontage along SH 146. The applicant is proposing to reduce the streetscape requirement along a partial segment of that frontage. The applicant states that during permitting process, the Texas Department of Transportation (TXDOT) determined that the City of Baytown's required sidewalk construction could not occur in the TXDOT right-of-way. The consequence of TXDOT's determination necessitates the subject property to accommodate the sidewalk on the private property, thus shifting the site development for a distance of five feet. With this adjustment, the applicant is proposing a streetscape reduction from 12 feet to six feet for an approximate 75 feet distance along the SH 146 frontage.

Supporting documentation is attached for your review.

RECOMMENDATION

Staff recommends denial of the applicant's request.

Attachments

Application & Supporting Documents

Proposed Site Plan

Vicinity Map

Staff Report



LANDSCAPE VARIANCE APPLICATION CITY OF BAYTOWN

App Date: 7/15/2022
Plan Number: ZP22070178

Description: Variance to Streetscape Requirement

Parcel: 6211

Applicant

Mateus Calix - representative of owner
5629 FM 1960 W.
Unit 314
Houston, TX 77069

Pre-Application N/A

Property

Legal Description A portion of Reserve Julie Ann Villa Section Number 1,
Chambers County, Texas

Acres 1. 57

Zoning

Current Zoning: General commercial (GC)

Use

Current Use Type Vacant
Proposed Use Type Commercial
Specific Proposed Use Auto Service and Restaurant

Applicant Statement

Explain how the imposition of the terms, rules, conditions, policies and standards of this article would deprive the owner or applicant of the property of reasonable use of the land or building.

If the sidewalk is required outside of the 12' landscape setback, the entire site will need to be shifted at least 5' back from SH 146. With this change, we will not be able to provide enough detention while complying to the CoB's detention requirements.



LANDSCAPE VARIANCE APPLICATION CITY OF BAYTOWN

Explain how the circumstances supporting the granting of the variance are not the result of a hardship imposed or created by the applicant, and the general purposes of this article are observed and maintained.

Since there is an existing ditch running along SH 146 and TxDOT not allowing any proposed sidewalks within their ROW, we have no other choice but to provide the sidewalk inside our property if we want to comply with CoB's Code of Ordinances of requiring a sidewalk along the perimeter of the property.

Explain how the intent of this article will be preserved.

The site will still have and maintain the proper screening needed within the remaining area of the 12' landscape setback.

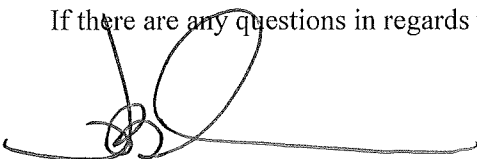
8/3/2022

City of Baytown
Planning and Development Services
2401 Market Street
Baytown, TX 77520

Re: Letter of Authorization

I, Joshua Jacobs authorize Mateus Calix, David Denton, and Matthew Smith of ALJ Lindsey to act as authorized agents for the purpose of submitting plans for site work as well as all the supporting documentation for these requests on our behalf.

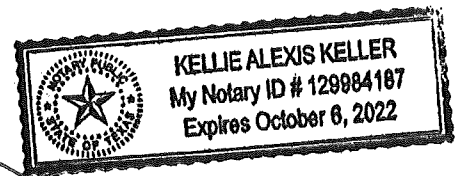
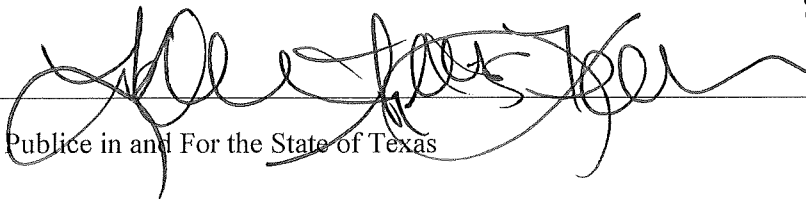
If there are any questions in regards to the above referenced submittals, please contact ALJ Lindsey.



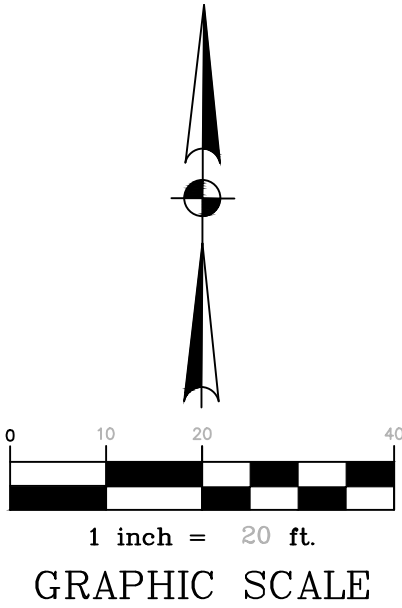
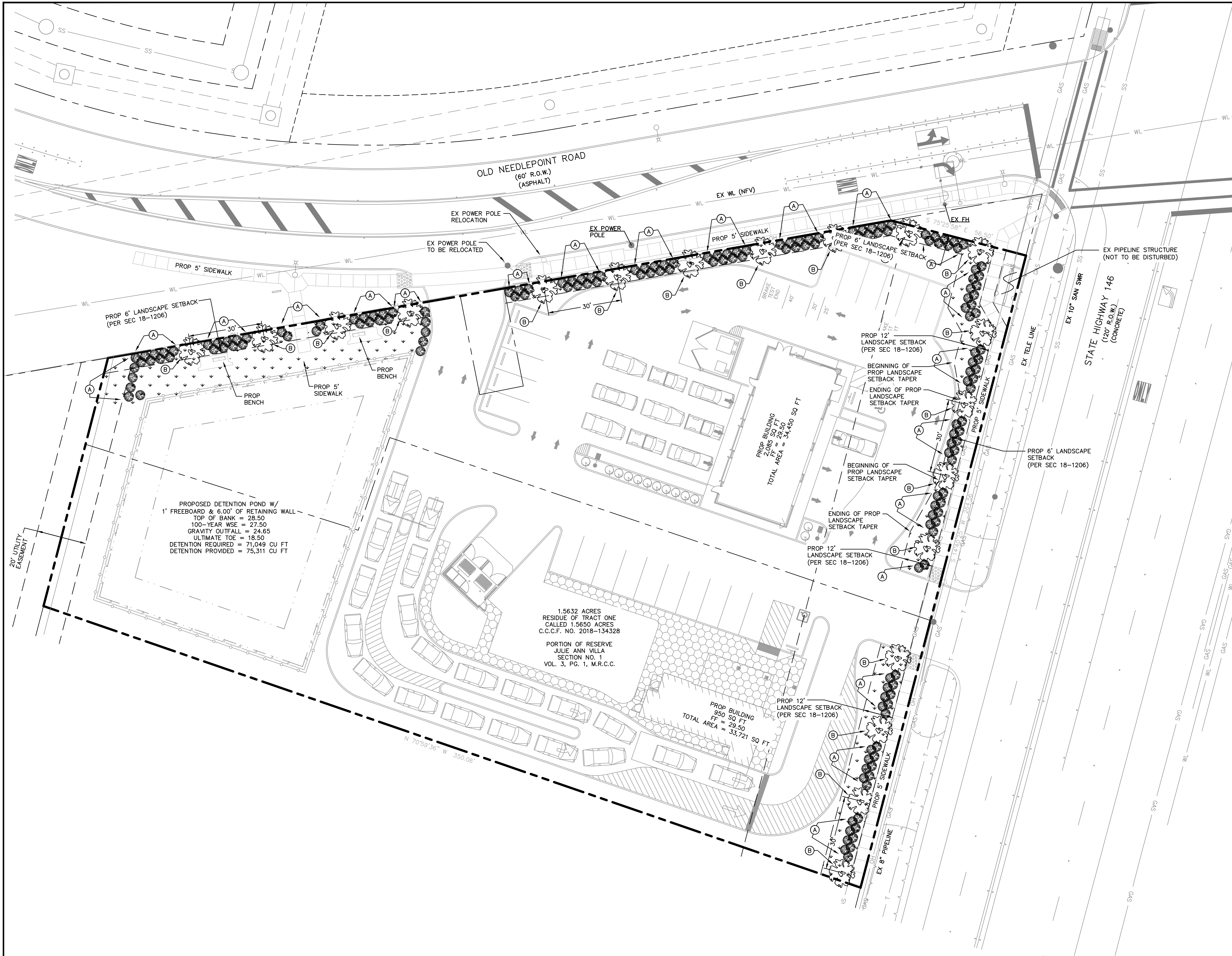
Joshua Jacobs
2421 Tangley St., Suite 105
Houston, TX 77005

Before me, the undersigned Authority, on this day personally appeared, JOSHUA JACOBS, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 1TH day of AUGUST, 2022.



Notary Public in and For the State of Texas



BENCHMARK:
CITY OF BAYTOWN MONUMENT NO. 88: ALUMINUM
CAP FOUND IN CONCRETE IN MEDIAN AT THE
INTERSECTION OF BAKER ROAD AND GARTH ROAD.
ELEVATION = 22.49 FEET (GEOID 99-NAVD 1988)

CITY OF BAYTOWN LANDSCAPE NOTES

- ALL TREES AND SHRUBS ARE TO BE PLANTED IN AN ORGANIZED FASHION AND IN SUCH A WAY AS TO FACILITATE THE CREATION OF A VISUAL SCREEN.
- THE STREETSCAPE ALONG LOCAL AND COLLECTORS STREET SHALL BE PLANTED WITH EITHER LARGE OR SMALL TREES, PLANTED 30 FEET ON CENTER, WITH EIGHT SHRUBS, NOT LESS THAN TWO FEET IN HEIGHT, FOR EVERY 30 FEET.

SHRUBS

MARK	COMMON NAME	BOTANICAL NAME	QUANTITY
A	WAXMYRTLE	MYRTICA CERIFERA	167

LARGE TREES

MARK	COMMON NAME	BOTANICAL NAME	QUANTITY
B	LACEBARK ELM	ULMUS PARVIFOLIA	19

FLOODPLAIN INFORMATION

ACCORDING TO MAP NO. 48071C0160F OF THE FEDERAL EMERGENCY
MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAPS FOR CHAMBERS
COUNTY AND INCORPORATED AREAS, DATED JANUARY 19, 2018, THE SUBJECT
TRACT IS SITUATED WITHIN: UNSHADED ZONE "X"

CALL BEFORE YOU DIG
TEXAS ONE CALL PARTICIPANTS REQUEST
72 HOURS NOTICE BEFORE YOU DIG, DRILL
OR BLAST - STOP CALL
TEXAS ONE CALL SYSTEM
1-800-344-8377
IN HOUSTON
(713)-223-4567

ALJLindsey
Civil Engineers
10000 Katy Freeway
Houston, TX 77077
281.301.5655
FBN F-11526

15 JULY 2022

ALL PROJECT NO.
655.21.CV.005
DATE: JULY 2022
SCALE:
DRAWN BY: MC
CHECKED BY: DD

LANDSCAPE PLAN

PROPOSED COMMERCIAL
DRIVEWAYS &
DETENTION POND
8319 STATE HIGHWAY 146
CHAMBERS COUNTY, TEXAS

SHEET
10




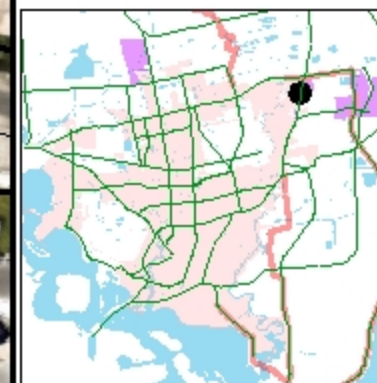
Landscape Variance

Vicinity Map

**Variance to
streetscape
requirement
from 12 ft.
to 6 ft.**

Approx. 1.57 acres

 Subject_Property



The City of Baytown, Texas makes no warranty, representation, or guarantee regarding the accuracy of this map. This map is intended for display purposes only and does not replace official recorded documents.
1 inch = 104 feet Date 2022-08-01



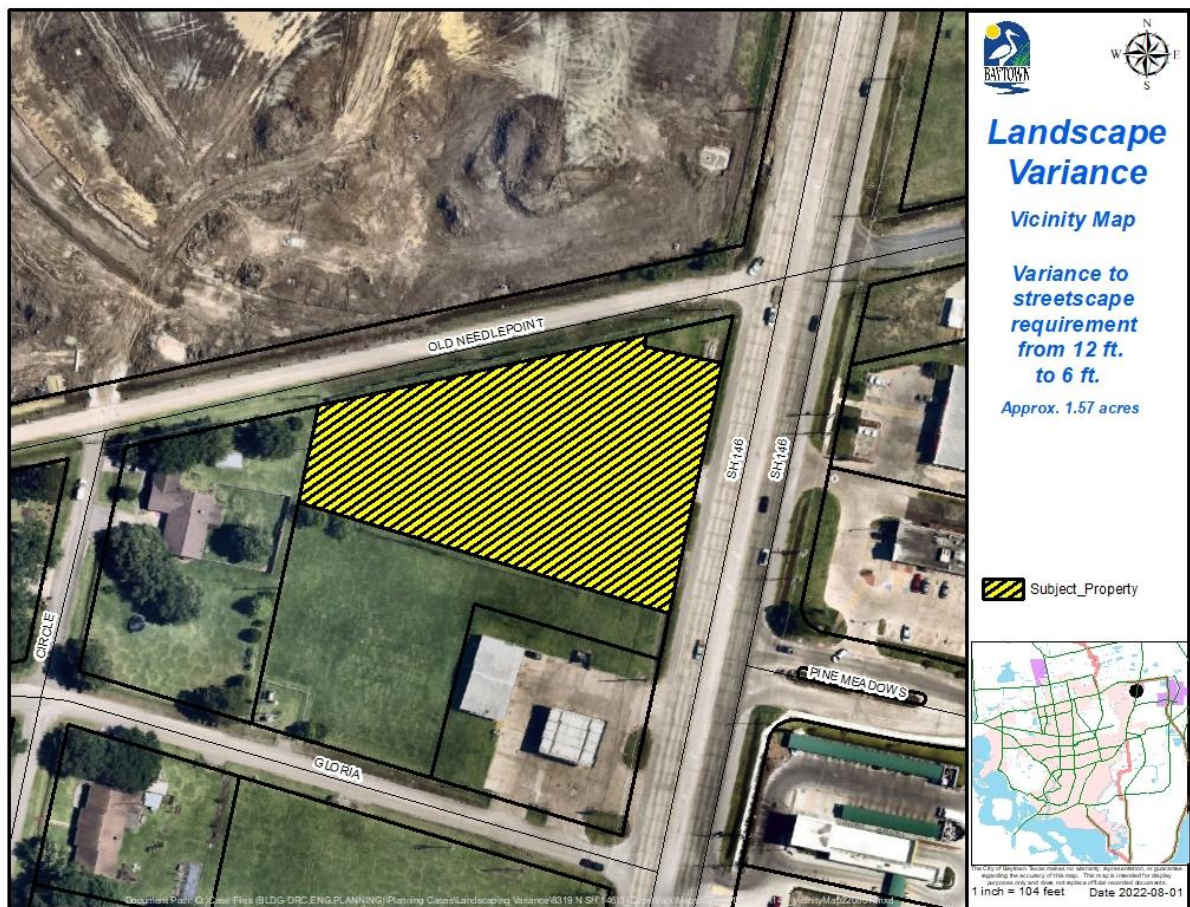
City of Baytown
Streetscape Variance
Staff Report
August 16, 2022

Requested Action: Variance from the requirements of Chapter 18 "Buildings and Building Regulations," Article XIV "Landscaping," Section 18-1206: Streetscape of the Code of Ordinance, Baytown, Texas for property located at 8913 North State Highway 146.

Applicant: Mateus Calix – Lead Designer

Owner: Joshua Jacobs

Subject Property: Approximately 1.57 acres, for properties located at 8913 North State Highway 146, legally described as a portion of Reserve Julie Ann Villa Section Number 1, Chambers County, Texas.



Vicinity Map

Parcel Information: Zoning: General Commercial (GC)
Use: Auto Service and Restaurant

Surrounding Properties Information:

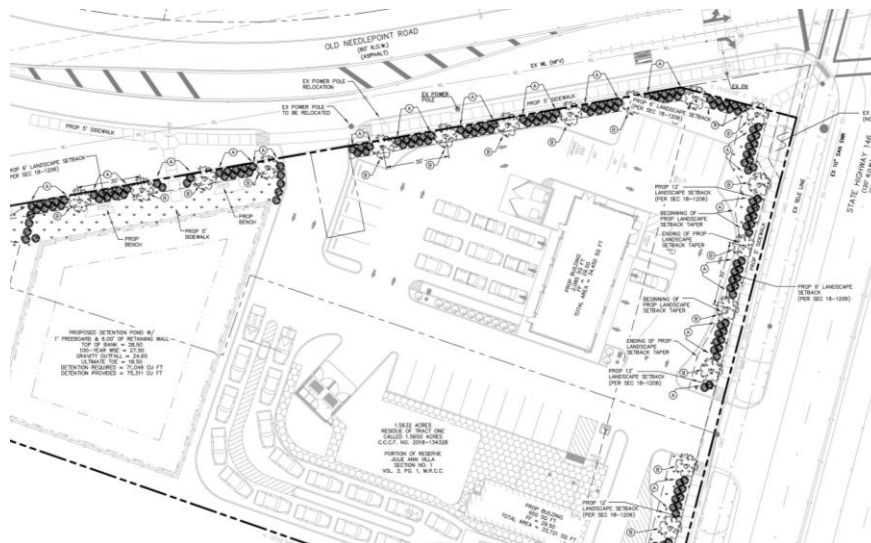
<u>North:</u>	General Commercial (GC);
<u>West:</u>	Low Density Single-Family Residential Dwellings (SF1));
<u>East:</u>	N SH 146 and General Commercial (GC);
<u>South:</u>	General Commercial (GC)

Background

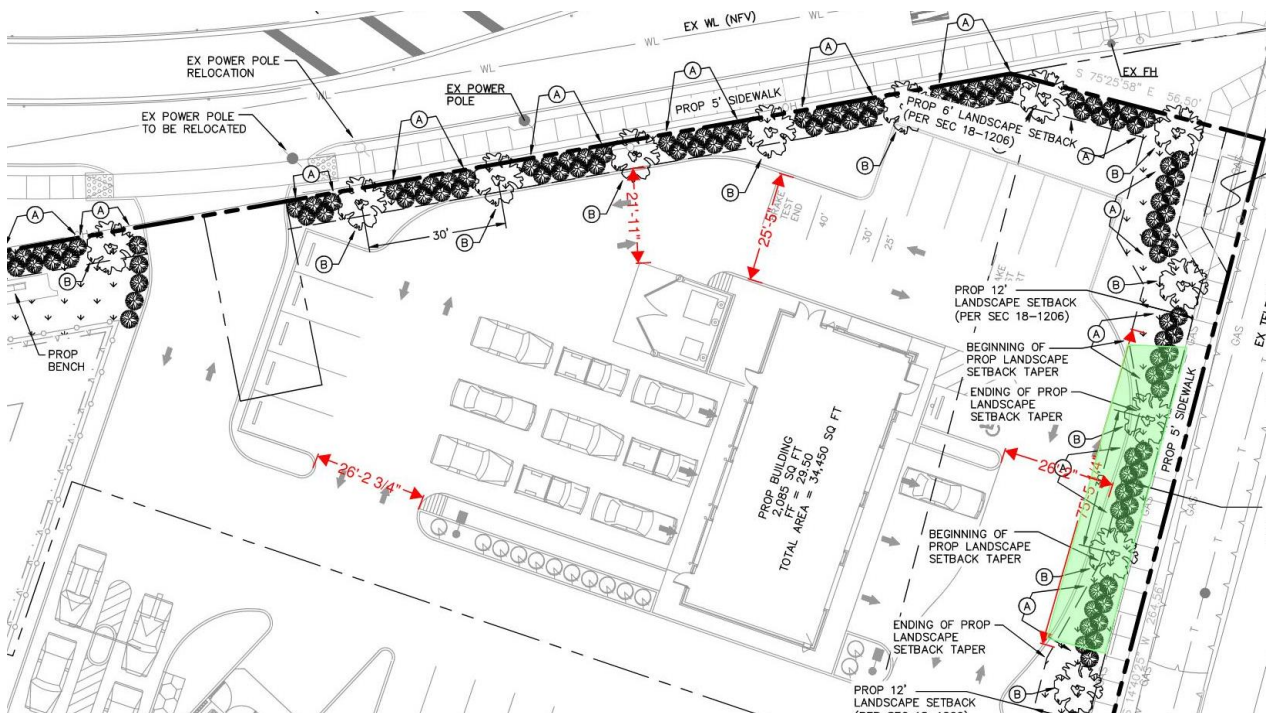
The subject property, consisting of 1.57 acres, and has frontage on North State Highway 146 (SH 146) and Old Needlepoint Road. Article XIV "Landscaping," Section 18-1206: "Streetscape" requires developments that are larger than one acre to install a 12-foot wide streetscape along arterial roadways. Streetscape shall include an area beginning at the property line which is adjacent to a street right-of-way, extending into the private property to the required width.

The subject property has approximately 240 feet of road frontage along SH 146. The applicant is proposing to reduce the streetscape requirement along a segment of that frontage. The applicant states that during permitting process, the Texas Department of Transportation (TXDOT) determined that the City of Baytown's required sidewalk could not occur in the TXDOT right-of-way. The consequence of TXDOT's determination necessitates the subject property to accommodate the sidewalk on the private property, thus shifting the site development for a distance of five feet. With this adjustment, the applicant is proposing a streetscape reduction from 12 feet to six feet for an approximate 75 foot distance along the SH 146 frontage.

The property is currently undeveloped. In the area where the variance is being requested the site plan depicts a building of approximately 2,000 square feet with three service bays, and an area in the rear of the building that will allow three rows of cars to wait for service. The building and the vehicle waiting area is circled by a two-way drive aisle (approximately 25 feet wide); and the drive aisle is also flanked with two parking areas consisting of five and six parking spaces, respectively.



Proposed Site Plan



Proposed Streetscape

Proposed Streetscape
Variance Area



In order to approve an application for a variance, the Planning and Zoning Commission shall make an affirmative finding that the following criteria are met:

- 1. The imposition of the terms, rules, conditions, policies and standards of this article would deprive the owner or applicant of the property of reasonable use of the land or building;***

The rules do not deprive the applicant of reasonable use of the land. The subject property is still undeveloped. Although the lot is oddly shaped, there are no visible physical barriers to hinder the installation of the required streetscape. Redesigning the site including a reduction in the drive aisle width and converting the drive aisle from a two-way travel aisle to a one-way travel aisle, would allow space for the required streetscape width. Furthermore, the proposed vehicle waiting area accommodates three vehicles outside of each service bay of the building; this area could be reduced to create space for the streetscape.

- 2. The circumstances supporting the granting of the variance are not the result of a hardship imposed or created by the applicant and the general purposes of this article are observed and maintained; Is not a hardship of the applicant's own making;***

The requested reduction is primarily caused by the TXDOT determination that the subject property needs to accommodate the sidewalk on the private property. Sidewalks are considered public infrastructure; therefore, they are usually in the public right-of-way. In

this case, TXDOT is the governing authority of the right-of-way and it can accept or reject the proposed development within the right-of-way. Sidewalks, required for this development, and will be placed on the private property. This outcome is a not a hardship of the applicant's own making.

3. The intent of the article is preserved;

The intent of the article is to provide aesthetic appeal along the major thoroughfares. The streetscape size and width requirements are scaled according to the ultimate size of the right-of-way and the size of the development site. If the variance request is granted, the aesthetic impact of the article will be reduced, but the proposed streetscape will retain the intent. Additionally, the applicant is proposing to vary a short segment of the streetscape along a short section of the entire frontage, which lessens the impact if the variance is granted.

4. *The granting of such variance will not be injurious to the public health safety or welfare.*

The granting of this reduced streetscape will not be injurious to the public, health or safety. The granting of the variance will permit the applicant to taper the streetscape down to a six-foot width in the identified area.

Staff has identified some options for the applicant to obtain the space needed for the required streetscape. Staff recommends denial of the applicant's request.



PLANNING AND ZONING COMMISSION

5. a.

Meeting Date: 08/16/2022

Subject: Consider - Zoning Map Amendment from OR to SF2

Prepared for: Martin Scribner, Planning and Development Services

Prepared by: Tristan Lyons, Planning and Development Services

Department: Planning and Development Services

Information

ITEM

Conduct a public hearing and consider a request to amend the official zoning map to rezone approximately 55.49 acres of land, located generally east of North Main Street between East Wallisville Road and FM 1942 from Open Space/Recreation (OR) to Mixed Residential at Low to Medium Densities (SF2) Zoning District upon voluntary annexation.

PREFACE

The applicant is requesting to zone approximately 55.49 acres in the George Ellis League, Abstract 21, Harris County, Texas, located generally east of North Main Street between East Wallisville Road and FM 1942 from Open Space/Recreation (OR) to Mixed Residential at Low to Medium Densities (SF2) Zoning District upon voluntary annexation.

The subject property is vacant, located within the city's ETJ, and does not have a zoning district assigned to it. The applicant is proposing to rezone the property to SF2 upon annexation, which will allow for future mixed density residential development. The subject property consists of four (4) separate tracts, and is a continuation of the Bay Creek annexation to the south, which was completed June 24, 2021, and rezoned to SF2. The annexation is currently on track for completion on September 8, 2022.

The request is consistent with the existing zoning and uses of the surrounding area, the Future Land Use Map, and the Comprehensive Plan's Policies and Goals for residential development.

Supporting documentation is attached for your review.

Attachments

Application and Supporting Documents

Vicinity Map

Future Land Use Map

Current Zoning Map

Proposed Zoning Map

Staff Report



ZONING MAP AMENDMENT APPLICATION CITY OF BAYTOWN

App Date: 6/16/2022
Plan Number: ZP22060087

Description: Rezone from OR to SF2

Parcel: 0402210000060, 0402210000633, 0402210000464,
0402210000632

Applicant

Castlerock Communities LLC
2401 Fountain View Dr. #215
Houston, TX 77057-4804

Owner

Ashley Yoder
2401 Fountain View Dr. #21
Houston, TX 77057
Business: (713) 600-7064
Mobile: (832) 606-4446

Pre-Application Linder-220527

Property

Legal Description Tracts 18, 18A, 37C-3, 40A-3 & 69A, George Ellis League, A-21, Harris County, Texas

Acres 55.49

Zoning

Current Zoning: Open space/recreation (OR)
Proposed Zoning: Mixed Residential at Low to Medium Densities (SF2)

Use

Current Use Type Vacant
Specific Current Use
Proposed Use Type Residential
Specific Proposed Use Single-family Residential

Applicant Statement

Explain how the proposed change is consistent with guiding documents

The intent for the proposed 55.491± Acre tract is to provide a 156-lot single family residential development situated on the east side of N. Main Street just North of our current Bay Creek Development. This land will be developed as a future phase of the Bay Creek neighborhood. The existing 55.491 Acre property is unplatted, undeveloped, and is currently located in the City of Baytown's Extraterritorial Jurisdiction (ETJ). The applicant has filed a petition for voluntary annexation into the corporate city limits which is contingent on the successful rezoning of the property. The proposed land use for the 55.491± acre tract would be designated SF-2.



ZONING MAP AMENDMENT APPLICATION CITY OF BAYTOWN

Explain how the proposed change is compatible with the surrounding area

The proposed amendment is compatible with the existing and proposed uses surrounding the subject land and is the appropriate district for the land use proposed. There are similar developments located directly to the south our current (Bay Creek Subdivision), also South (Springfield Estates Subdivision) and to the west (Goose Creek Landing Subdivision).

Explain how the proposed request promotes health, safety, or general welfare

The proposed amendment will promote the health, safety, and general welfare of the city and includes the safe, orderly and healthful development of the city.

Explain how the proposed request will facilitate infrastructure (infrastructure includes the adequate provision of roadways, water, waste water, storm water and other public services)

The proposed amendment will facilitate the adequate provision of mobility, water, waste water, storm water and other public services. N. Main Street is an existing major arterial and Wallisville Road is an existing minor arterial. The proposed development will have two subdivision entrances through the Bay Creek Subdivision (currently under development) to facilitate mobility and safety. There is an existing water main located on the west side of N. Main Street from the subject tract. There is an existing gravity sanitary sewer main located at the southeast corner of the intersection of N. Main Street and Wallisville Road. There is an existing HCFCD ditch located along the east boundary of the subject tract that will serve as the detention outfall. The existing water main will be extended North on N. Main Street along the proposed developments frontage to serve future developments. A wastewater lift station is being constructed for the current Bay Creek Subdivision which the subject tract that will pump wastewater south, via forcemain, along the east side of N. Main Street to the existing gravity sanitary sewer main located at the intersection of N. Main Street and Wallisville Road.

Explain any changed conditions

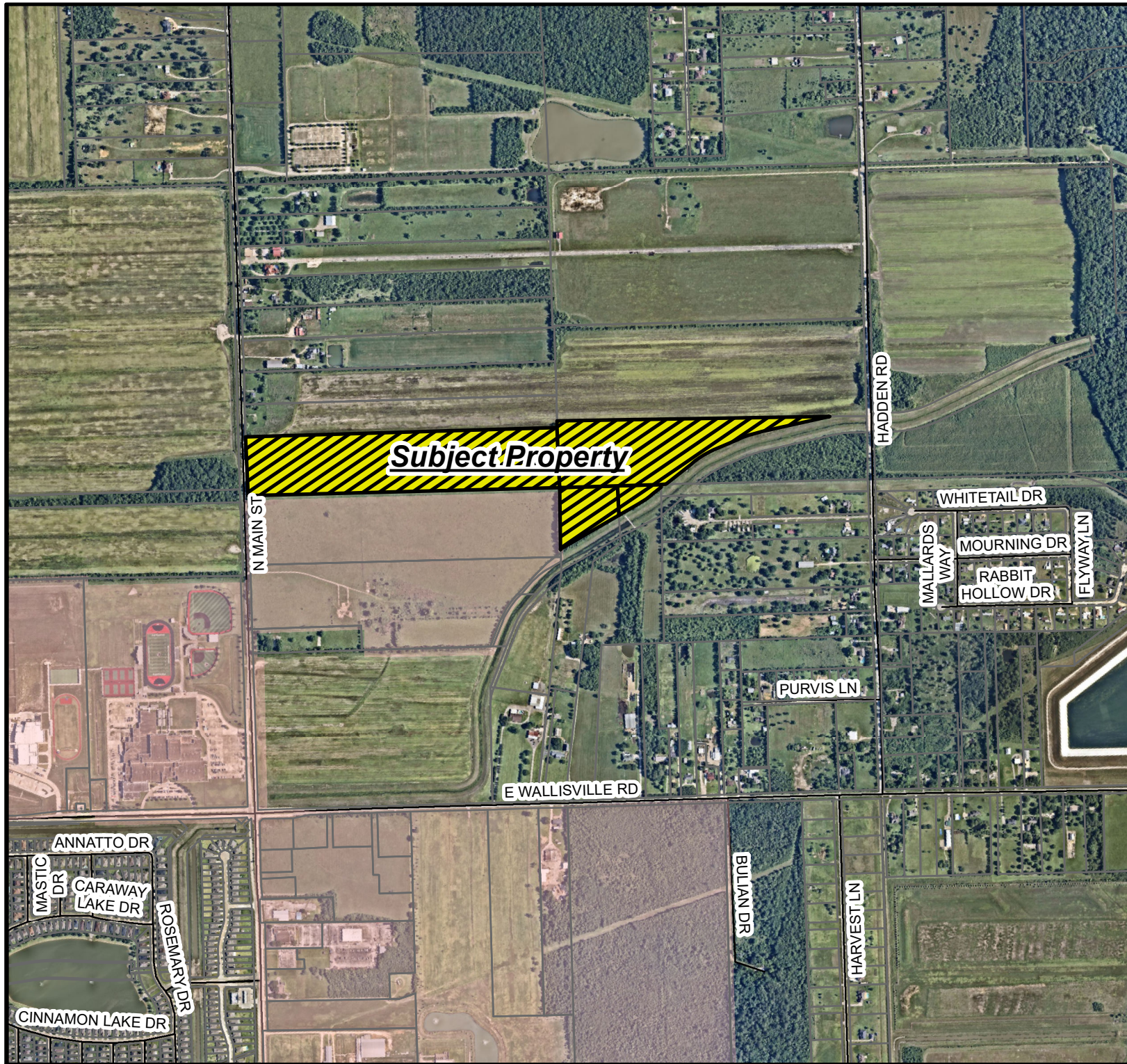
The existing conditions of the subject property is vacant, undeveloped, and unplatted land. The proposed amendment will facilitate the development of the property consistent with the Unified Land Development Code.

Explain how the proposed request will affect the natural environment (will there be any adverse impacts on the natural environment, including water, air, noise, storm water management, wildlife, vegetation, and wetlands)

The proposed amendment will not pose adverse impacts on the natural environment, water, air, noise, storm water management, wildlife, vegetation, or wetlands.

Explain how the proposed request will meet community needs

The proposed amendment will address a demonstrated need for single family residential homes north of Interstate 10.





Zoning Map Amendment Bay Creek 2.0

Vicinity Map

Approx. 55.49 acres

LEGEND

-  Subject Property
-  City Limit



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1 inch = 1,128 feet Date 2022-08-11

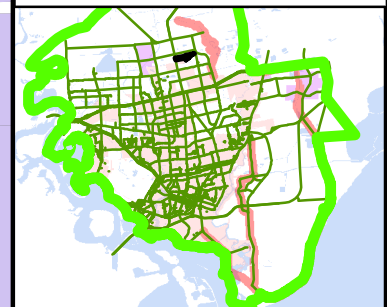


Zoning Map Amendment Bay Creek 2.0 Future Land Use Map

Approx. 55.49 acres

LEGEND

-  Subject Property
-  Utility, Right-of-Way
-  Recreation and Natural Areas
-  Low Density Residential
-  Neighborhood Scale Commercial
-  Large Scale Commercial
-  Industrial



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1 inch = 1,128 feet Date 2022-08-11

Subject Property

N MAIN ST

HADDEN RD

WHITETAIL DR

MALLARDS WAY

MOURNING DR

RABBIT HOLLOW DR

FLYWAY LN

PURVIS LN

E WALLISVILLE RD

BULIAN DR

HARVEST LN

ANNATTO DR

MASTIC DR

CARAWAY LAKE DR

ROSEMARY DR

CINNAMON LAKE DR








Zoning Map Amendment

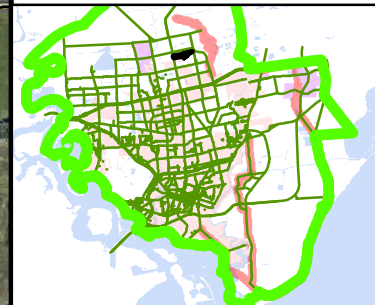
Bay Creek 2.0

Current
Zoning Map

Approx. 55.49 acres

LEGEND

-  Subject Property
-  City Limit
-  GC (General Commercial)
-  OR (Open Space/Recreation)
-  SF2 (Mixed Res. Low/Med. Density)



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1 inch = 1,128 feet Date 2022-08-11

Subject Property

N MAIN ST

HADDEN RD

WHITETAIL DR

MALLARDS WAY

MOURNING DR
RABBIT HOLLOW DR

FLYWAY LN

PURVIS LN

E WALLISVILLE RD

BULIAN DR

HARVEST LN

ANNATTO DR

MASTIC DR

CARAWAY LAKE DR

ROSEMARY DR

CINNAMON LAKE DR








Zoning Map Amendment

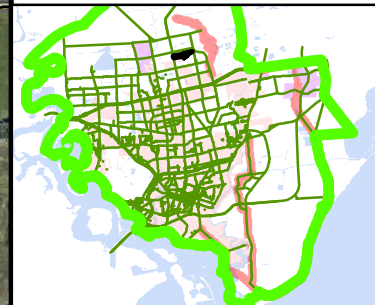
Bay Creek 2.0

Proposed Zoning Map

Approx. 55.49 acres

LEGEND

-  Subject Property
-  City Limit
-  GC (General Commercial)
-  OR (Open Space/Recreation)
-  SF2 (Mixed Res. Low/Med. Density)



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1 inch = 1,128 feet Date 2022-08-11

Subject Property

N MAIN ST

HADDEN RD

WHITETAIL DR

MALLARDS WAY

MOURNING DR
RABBIT HOLLOW DR

FLYWAY LN

PURVIS LN

E WALLISVILLE RD

BULIAN DR

HARVEST LN

ANNATTO DR

MASTIC DR

CARAWAY LAKE DR

ROSEMARY DR

CINNAMON LAKE DR



**City of Baytown
Zoning Map Amendment
Staff Report
August 16, 2022**

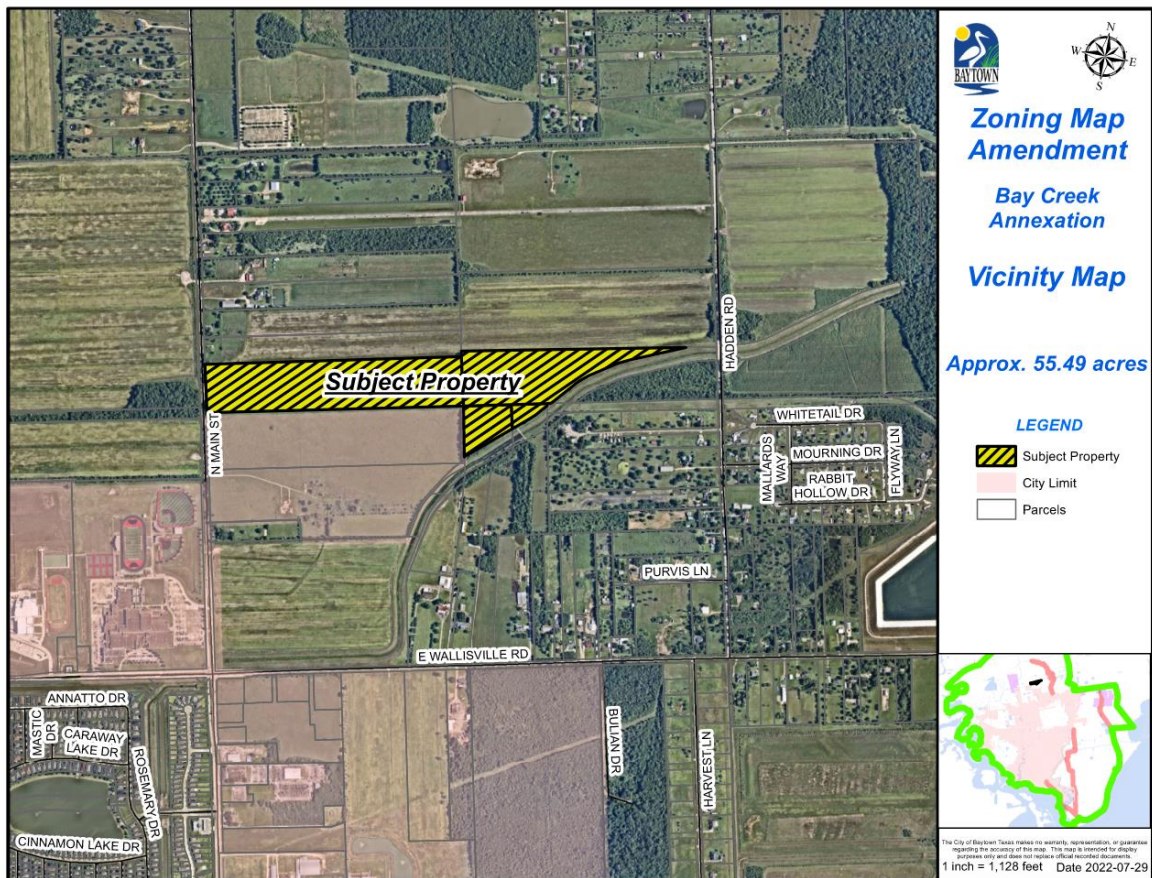
Plan Number: ZP22060087

Address: East side of North Main Street and approximately 735 feet north of East Wallisville Road

Requested Action: The proposed rezoning of approximately 55.49 acres of land in the George Ellis League, Abstract 21, Harris County, Texas, located on the east side of North Main Street between East Wallisville Road and FM 1942, from an Open Space/Recreation (OR) to a Mixed Residential at Low to Medium Densities (SF2) Zoning District.

Applicant: Ashley Yoder, Castlerock Communities LLC

Subject Property:



Document Path: Q:\Case Files (BLDG-DRG\ENG\PLANNING)\Planning Cases\Annexation_Disannexation\2022\Bay Creek 2\Map\GIS\BAY_CREEK_ANNEXATION.mxd

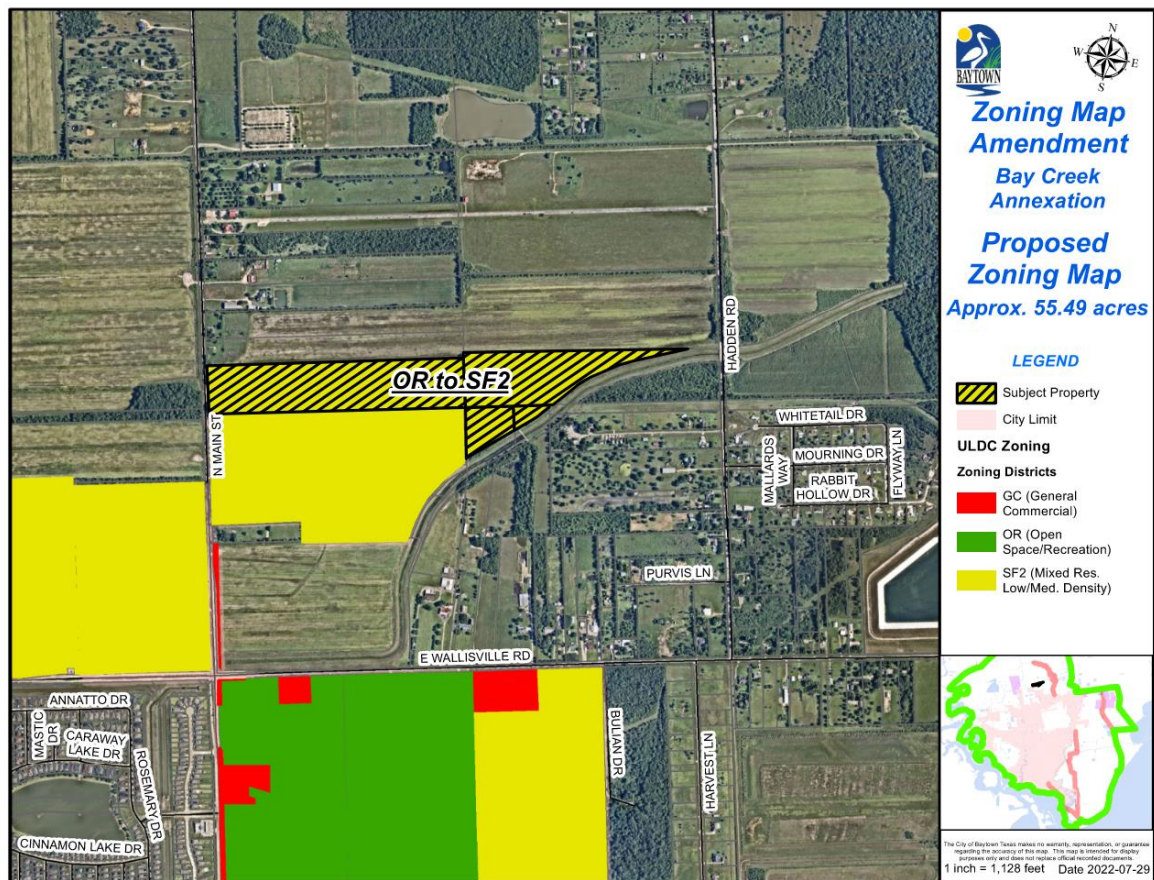
Parcel Map

Parcel Information:

Current Use: Vacant and undeveloped

Proposed Use: Residential

Future Land Use Plan: Low Density Residential



Document Path: Q:\Case Files (BLDG-DRG,ENG,PLANNING)\Planning Cases\Annexation_Disannexation\2022\Bay Creek 2\Map\GIS\BAY_CREEK_ANNEXATION.mxd

Proposed Zoning Map

Adjacent Parcel Information:

North: ETJ, vacant and undeveloped

South: Mixed Residential at Low to Medium Densities (SF2)

East: ETJ, vacant and undeveloped

West: ETJ, vacant and undeveloped

Staff Analysis (Background):

The subject property, consisting of four (4) separate tracts, is vacant, has approximately 500 feet of frontage along North Main Street, a major arterial, and is located within the city's ETJ where there are no zoning regulations. However, an application for voluntary annexation is running concurrently with this application for rezoning. Upon annexation, the property will be zoned OR, which does not allow for the desired residential development and necessitates the rezoning request. This is phase two of the Bay Creek project which includes annexation and rezoning to SF2, completed on June 24, 2021, of approximately 69.50 acres of property adjacent to the south. The surrounding area includes a school, planned residential housing, and vacant tracts of land. Castlerock Communities LLC is planning a large residential development consisting of 156 single-family lots.

In order to recommend approval of an application for a zoning amendment, the Planning and Zoning Commission shall consider the following factors:

1. **Consistency with guiding documents.**

The applicant's rezoning proposal is consistent with the Comprehensive Plan 2040 and its Future Land Use Map designation – "Low Density Residential." This designation supports residential areas that have densities of six dwelling units (du) per acre or lower. This can include a variety of housing types and neighborhoods.

The proposed zoning is consistent with multiple goals laid out by the Comprehensive Plan 2040. It is consistent with the Land Use and Development's first goal for a fiscally sustainable growth development pattern that considers the implications of new growth on infrastructure, and the second for a focus on quality development expectations for both new development and redevelopment. It aligns with the Growth Capacity's first goal which calls for a development pattern that manages growth in a way that adds value to the city, serves the needs of residents and businesses and minimizes adverse impacts on the environment. It aligns with the Housing and Neighborhood's first goal that calls for residential growth occurring in logical areas and in a manner that supports the fiscal sustainability of the City into the future, and third goal for a well-maintained existing housing stock, including multi-family complexes and single-family homes, that provide safe and quality housing options.

2. **Compatible with the Surrounding Area.**

Much of the surrounding area is vacant; however, the proposed SF2 zoning would be compatible with the SF2 zoning to the south and promote walkability to the neighboring schools.

The SF2 zoning district permits uses that are compatible with the surrounding areas. More so, the subject property's location in a large vacant land area reduces the conflict with nearby land uses. SF2 zoning is compatible with other residential structures and uses along the east side of North Main Street.

3. **Promotion of health, safety, or general welfare.**

It is not anticipated that the proposed residential zoning and subsequent land use will be detrimental to the health, safety, or general welfare of the general area. Any proposed development will be required to meet all current adopted codes of the City of Baytown; therefore, promoting the health, safety and welfare of the community.

4. **Facilitation of infrastructure.**

City utilities shall be provided to the property upon annexation. A services agreement was approved by City Council on June 14, 2022, and will take effect upon the completion of the current Bay Creek 2.0 annexation. Any proposed development and/or expansion will be required to meet all current adopted codes of the City of Baytown to serve the overall development.

5. **There are changed conditions.**

Areas north of Interstate 10 are experiencing a boom in residential development. The Springfield subdivision was developed to the southeast of the subject property along North Main Street. To the direct south, Castlerock is beginning development for the Bay Creek subdivision. Once the Bay Creek 2.0 annexation and zoning map amendment are complete, Castlerock plans to begin development of Bay Creek 2.0. It's possible that more residential development may occur within the surrounding area in the future.

6. **Effect on natural environment.**

This rezoning will have a limited impact on the natural environment. When the property is developed, the City of Baytown Code of Ordinances will govern any environmental impacts. The developer will be required to mitigate adverse impacts by standards contained throughout the City of Baytown Code of Ordinances.

7. **Community need.**

There is a need for new residential developments within the City. Baytown had an estimated 29,212 housing units in 2019. This was an 11.5 percent increase from the 26,203 units that were observed in the 2000 Census. About 66.2 percent of all housing units within Baytown were built prior to 1990. This 30-year threshold is significant as it represents a time when many homes and multi-family structures begin to need more substantial reinvestment or repairs. Baytown's ability to attract and retain residents is inextricably tied to the condition and availability of its housing stock. Early engagements and research have shown that opportunities for home ownership, types of housing available, and housing affordability are all concerns in Baytown. The issue stems from the median household income for Baytown being \$57,270, which is lower than Harris County, Chambers County, and the median for the State of Texas, and an average of 41.9 percent of renters, 26.9 percent of owners with a mortgage, and 12.4 percent of owners without a mortgage are paying more than 30 percent of their income toward housing costs. With more housing stock available, housing costs will be reduced and for a Baytown resident making the median household income, affording a home at the median home value of \$119,900 may be within reach.

Staff Recommendation:

Staff recommends **approval** of the proposed zone map amendment.



PLANNING AND ZONING COMMISSION

5. b.

Meeting Date: 08/16/2022

Subject: Zoning Map Amendment from GC to MF1

Prepared for: Martin Scribner, Planning and Development Services

Prepared by: Christopher Chavis
Planning and Development Services

Information

ITEM

Consider a request to amend the official zoning map to rezone approximately 35.10 acres generally located near 703 Hunt Road, legally described as Tract 72 PT 15, 16, & 17 Block 20 Highland Farms, Harris County, Texas from General Commercial (GC) to Medium Density Mixed Residential (MF1).

PREFACE

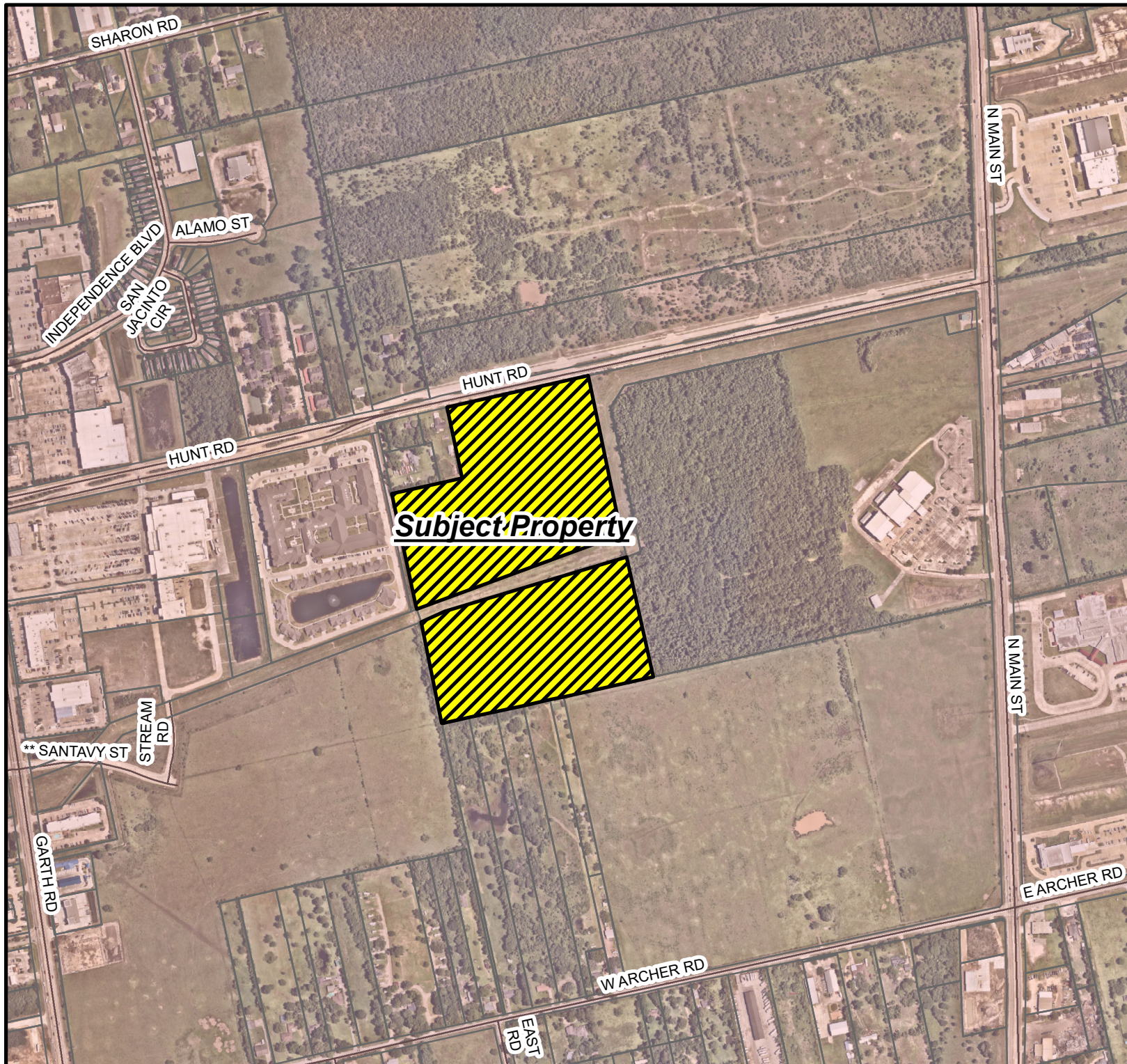
RECOMMENDATION

The applicant requested that this item be suspended until the next Planning and Zoning Commission meeting on September 13, 2022.

Attachments

Vicinity Map

Zoning Map






Zoning Map Amendment

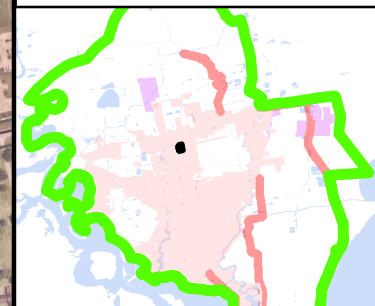
Vicinity Map

The Cottage Green Residential Development

Approx. 35.10 acres

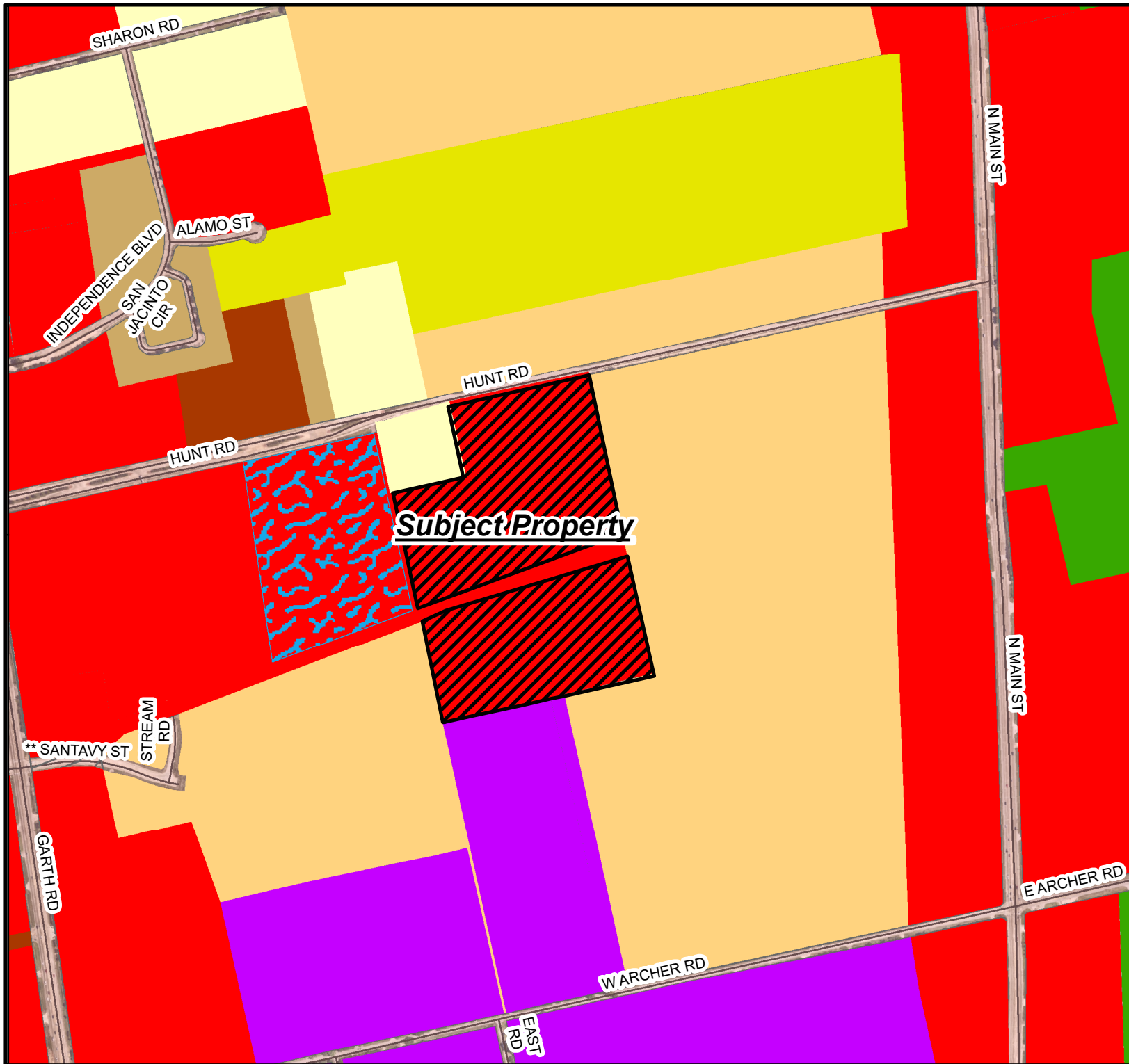
LEGEND

-  Subject Property
-  Parcels
-  City Limit



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1 inch = 687 feet ⁴¹ Date 2022-07-29



Zoning Map Amendment

Zoning Map

The Cottage Green Residential Development
Approx. 35.10 acres

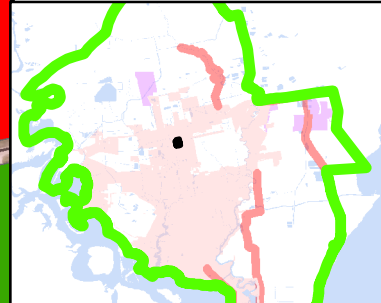
LEGEND

Subject Property

ULDC Zoning

Zoning Districts

- GC (General Commercial)
- MF1 (Med. Density Mixed Res.)
- MF2 (Mid-Rise Mixed Res.)
- MU (Mixed Use)
- OR (Open Space/Recreation)
- PUD
- SF1 (Low Density Single-Fam. Res.)
- SF2 (Mixed Res. Low/Med. Density)
- SFE (Single-Fam. Estate)



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1 inch = 687 feet 42 Date 2022-07-29



PLANNING AND ZONING COMMISSION

6. a.

Meeting Date: 08/16/2022

Subject: Public Hearing - Amendment to Comprehensive Plan 2040

Prepared by: Francesca Linder, Planning and Development Services

Information

ITEM

Conduct a public hearing and consider making a recommendation concerning an amendment to Comprehensive Plan 2040.

PREFACE

This proposed amendment will add residential and multi-family land use types and coordinating location criteria to Neighborhood Scale Commercial and Large Scale Commercial Future Land Use Map (FLUM) Categories to support infill and larger variety in housing types. The following outlines the proposed land use types to be added to the respective category:

Neighborhood Scale Commercial FLUM Category:

- Attached residential dwellings;
- Small multi-family developments; and
- Low to medium density multi-family developments.

Large Scale Commercial FLUM Category:

- Low to medium density multi-family developments; and
- High density multi-family developments.

Supporting documentation is attached for your review.

RECOMMENDATION

Staff recommends approval of proposed amendment to Comprehensive Plan 2040.

Attachments

Proposed Text Amendments

Staff Report

Neighborhood Scale Commercial

This designation is for commercial uses that are smaller scale in nature, typically 3 acres or less depending on the character of the site, including surrounding land uses and the design and intensity of the site. Neighborhood scale commercial can encompass a range of commercial, retail and office uses. Additionally, residential uses (small multi-family developments and low-medium density multi-family developments) are found in neighborhood scale commercial. New residential uses should follow the neighborhood scale commercial location criteria.

Primary Land Use Types

- Commercial uses of no more than 3 acres, including personal services, offices, retail, restaurants, etc. The 3 acre size should take into consideration the character of the site, including surrounding land use and the design and intensity of the site.

Secondary Land Use Types

- Public/institutional uses (including school campuses and certain public assembly uses such as places of worship).
- Parks and public spaces.
- Attached residential dwellings, including duplexes and townhomes.
- Multi-family developments, including:
 - Small multi-family developments (up to 15 du/acre and no more than 50 units)
 - Examples include: apartment complexes, mixed use buildings, and condo developments.
 - Low to medium density multi-family developments (up to 23 du/acre).
 - Examples include: apartment complexes, mixed use buildings, and condo developments.

Location Criteria

- Should be located at the entrance to or with convenient access to an adjacent residential neighborhood (such as within a quarter to a half mile walking distance), OR
- Should be located at the intersection of a collector street and an arterial roadway, OR
- Should be located at the intersection of two arterial roadways, OR
- Should be an extension of an established commercial area that does not conflict with adjacent residential uses, regardless of if located at an intersection.
- Attached residential dwellings, including duplexes and townhomes
 - Should have access to an arterial or collector street;
 - Should not be located within 200 feet of intersections of arterials or collector streets; and
 - Should continue the character of the neighborhood.
- Small multi-family development should have access to an arterial or collector street and should not be located within 200 feet of an established single-family large-lot estate area or single-family suburban style Subdivision unless it is part of the same development or continues the character of the neighborhood.
- Low to medium density multi-family developments:

- Should have access to an arterial or collector street.
- Should not be located within 300 feet of an established single-family large lot estate area or single-family suburban style subdivision unless it is part of the same development or unless it is part of a planned unit development.
- Should not be located within a half mile of existing multi-family developments.

Large Scale Commercial

This designation involves commercial developments that are typically 3 acres or larger depending on the character of the site, including surrounding land uses and the design and intensity of the site. This designation is for properties in commercial retail, office and service uses, primarily along portions of major roadway corridors within the community for high visibility and accessibility. Large scale commercial may also encompass neighborhood scale properties in some instances. Residential uses (low-medium density multi-family developments and high density multi-family) are found in large scale commercial. New residential uses should follow the large scale commercial location criteria.

Primary Land Use Types

- Commercial retail and service uses, typically 3 acres or larger. This may include:
 - Office (involving large and/or multi-story buildings), which may involve a medical or technology/research focus.
 - “Big-box” commercial stores (e.g., grocery, appliances, clothing, etc.).
 - Restaurant chains including various “fast food” and casual dining establishments.
 - Automobile service related enterprises (e.g., gas stations, automobile service/repair, car washes, car dealerships).
 - Hotels and motels and recreational vehicle parks where zoning allows.

Secondary Land Use Types

- Public/institutional uses (including school campuses and certain public assembly uses such as places of worship).
- Parks and public spaces.
- Multi-family developments, including:
 - Low to medium density multi-family developments (up to 23 du/acre).
 - Examples include: apartment complexes, mixed use buildings, and condo developments.
 - High density multi-family (more than 23 du/acre).
 - Examples include: apartment complexes, mixed use buildings, and condo developments.

Location Criteria

- Should be located at the intersection of two arterial roadways, or along an arterial corridor, OR
- Should be located at the intersection of an arterial roadway and a freeway, or along the frontage of a freeway, OR
- Should be an extension of an established commercial area that does not conflict with adjacent residential uses, regardless of if located at an intersection.
- Low to medium density multi-family developments:

- Should have access to an arterial or collector street.
- Should not be located within 300 feet of an established single-family large lot estate area or single-family suburban style subdivision unless it is part of the same development or unless it is part of a planned unit development.
- Should not be located within a half mile of existing multi-family developments.
- High density multi-family developments:
 - Should have access to an arterial roadway or freeway.
 - Should be located within a half mile of large scale commercial or mixed use developments, and/or within a half mile of a fixed transit route.
 - Should not be greater than 15 acres.
 - Should not be located within a half mile of existing multi-family developments.
 - Should not be within 450 feet of an existing single-family large lot estate home or single-family suburban style home area unless it is part of the same development or unless it is part of a planned unit development.



City of Baytown
2040 Comprehensive Plan Amendment
Future Land Use Map Categories
Staff Report
August 12, 2022

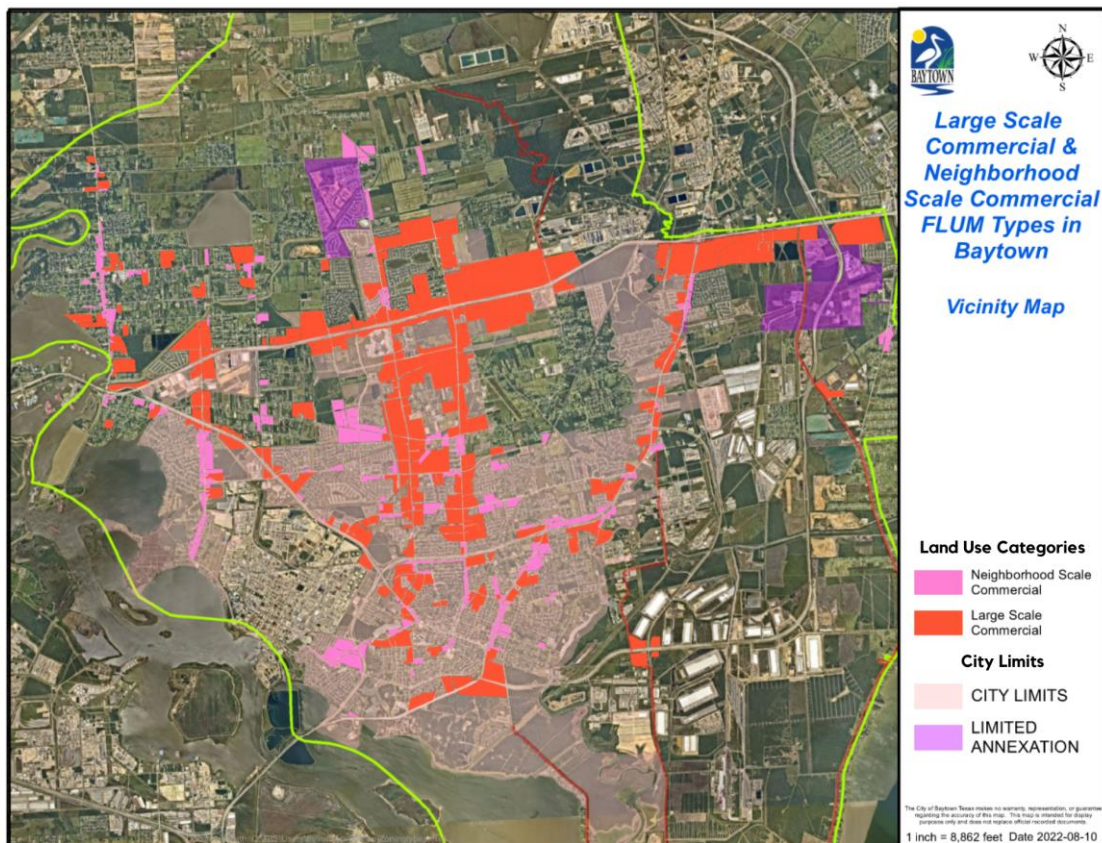
Requested Action:

To amend Comprehensive Plan 2040 by adding land use types and coordinating location criteria to Neighborhood Scale Commercial and Large Scale Commercial Future Land Use Map (FLUM) categories to allow for certain residential use.

Staff Analysis (Background):

Since Comprehensive Plan 2040 was adopted by City Council on May 28th 2022, staff has received inquiries to develop multi-family uses in properties designated as Large Scale Commercial and Neighborhood Scale Commercial areas. Currently, these categories do not allow for any residential use or multi-family.

Neighborhood Scale Commercial is typically located along collectors and arterials roadways, between Large Scale Commercial and a residential category. Large Scale Commercial is typically located along arterials roadways and freeways, between Industrial and Neighborhood Scale Commercial. Staff has determined that attached residential dwellings, small scale multi-family developments, and low to medium density multi-family developments, can be compatible in Neighborhood Scale Commercial with certain location criteria. Staff also determined that low to medium density multi-family developments and high density multi-family can be compatible in Large Scale Commercial category with certain location criteria. Allowing these uses in these respective FLUM categories will support infill development and allow a larger variety of housing types in the City and the location criteria will support safety and scale of the developments.



Future Land Use Map Illustrating Neighborhood Scale Commercial and Large Scale Commercial

The table below outlines the proposed land use type and coordinating location criteria:

<u>Neighborhood Scale Commercial FLUM Category:</u>	
<u>Land Use Type:</u>	<u>Location Criteria:</u>
<p>Attached residential dwellings. Examples:</p> <ul style="list-style-type: none"> • Townhomes; • Duplexes; and • Patio homes. 	<p>Attached residential dwellings should:</p> <ul style="list-style-type: none"> • Have access to an arterial or collector street; • Not be located within 200 feet of intersections of arterials or collector streets; and • Continue the character of the neighborhood.
<p>Small multi-family developments (up to 15 du/acre and no more than 50 units). Examples:</p> <ul style="list-style-type: none"> • Apartment Complexes; • Mixed use buildings; and • Condo Developments. 	<p>Small multi-family developments should:</p> <ul style="list-style-type: none"> • Have access to an arterial or collector street; and • Not be located within 200 feet of an established single-family large-lot estate area or single-family suburban style subdivision unless it is part of the same development or continues the character of the neighborhood.
<p>Low to medium density multi-family developments (up to 23 du/acre). Examples:</p> <ul style="list-style-type: none"> • Apartment Complexes; • Mixed use buildings; and • Condo Developments. 	<p>Low to medium density multi-family developments should:</p> <ul style="list-style-type: none"> • Have access to an arterial or collector street; • Not be located within 300 feet of an established single-family large lot estate area or single-family suburban style subdivision unless it is part of the same development or unless it is part of a planned unit development; and • Not be located within a half mile of existing multi-family developments.

<u>Large Scale Commercial FLUM Category:</u>	
<u>Land Use Type:</u>	<u>Location Criteria:</u>
<p>Low to medium density multi-family developments (up to 23 du/acre). Examples:</p> <ul style="list-style-type: none"> • Apartment Complexes; • Mixed use buildings; and • Condo Developments. 	<p>Low to medium density multi-family developments should:</p> <ul style="list-style-type: none"> • Have access to an arterial or collector street; • Not be located within 300 feet of an established single-family large lot estate area or single-family suburban style subdivision unless it is part of the same development or unless it is part of a planned unit development; and • Not be located within a half mile of existing multi-family developments.
<p>High density multi-family developments (more than 23 du/acre). Examples:</p> <ul style="list-style-type: none"> • Apartment Complexes; • Mixed use buildings; and • Condo Developments. 	<p>High density multi-family developments should:</p> <ul style="list-style-type: none"> • Have access to an arterial roadway or freeway; • Be located within a half mile of large scale commercial or mixed use developments, and/or within a half mile of a fixed transit route; • Not be greater than 15 acres;

	<ul style="list-style-type: none"> • Not be located within a half mile of existing multi-family developments; and • Not be within 450 feet of an existing single-family large lot estate home or single-family suburban style home area unless it is part of the same development or unless it is part of a planned unit development.
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Staff Recommendation:

Staff recommends approval of this amendment to Comprehensive Plan 2040.



PLANNING AND ZONING COMMISSION

7. a.

Meeting Date: 08/16/2022

Subject: Director's Report

Prepared for: Martin Scribner, Planning and Development Services

Prepared by: Nai Mongiello, Planning and Development Services

Information

ITEM

Receive a report from the Planning Director.

PREFACE

This will be a recurring item to provide a report to the Planning and Zoning Commission.

RECOMMENDATION
