

ORDINANCE NO. 2024-01
AMENDMENTS TO EDGE AT SEABROOK TOWN CENTRE PLANNED UNIT
DEVELOPMENT DISTRICT PLAN “PUD”
(PLANNED UNIT DEVELOPMENT)

AN ORDINANCE AMENDING ORDINANCE 2022-08 FOR UPDATE REVISIONS TO “EDGE AT SEABROOK TOWN CENTRE PLANNED UNIT DEVELOPMENT DISTRICT PLAN” “PUD” (PLANNED UNIT DEVELOPMENT), CONSISTING OF THREE TRACTS OF LAND, 19.5355 ACRES SITUATED IN ABSTRACT 52, OF THE RITSON MORRIS SURVEY, IN SEABROOK, HARRIS COUNTY, TEXAS, GENERALLY LOCATED EAST OF LAKESIDE DRIVE, WEST OF STATE HIGHWAY 146, NORTH OF REPSDORPH ROAD, AND SOUTH OF OAK DALE WAY, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT “A”, ATTACHED HERETO, BY REVISING THE EXISTING PLANNED UNIT DEVELOPMENT (“PUD”) PLAN REGULATIONS, RESTRICTIONS, TERMS AND CONDITIONS, (“PLAN”), MORE PARTICULARLY DESCRIBED IN EXHIBIT “B”; ATTACHED HERETO; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; AND PROVIDING FOR SEVERABILITY AND NOTICE.

WHEREAS, the owner, Seabrook Town Center Partners, LLC, (“Owner”) has requested an amendment to Ordinance 2022-08 “Edge at Seabrook Town Centre Planned Unit Development District Plan “PUD” (Planned Unit Development) consisting of approximately 19.5355 acres generally located east of Lakeside Drive, West of State Highway 146, north of Repsdorph Road and south of Oak Dale Way within the City of Seabrook, the same to be divided for 320 residential apartments, 43,540 sq. ft. retail/office, an entertainment plaza and 807 parking spaces to be referred to as “Edge at Seabrook Town Centre Planned Unit Development District Plan”, consisting of 3 tracts of land, with Tract 1, consisting of 3.9818 acres, Tract 2, consisting of 3.4196 acres, and Tract 3, consisting of 12.1341 acres., all being out of the 19.5355 acres tract or parcel of land situated in the Ritson Morris Survey, Abstract 52, being part of the Ruggles Subdivision, Harris County, Texas, said 19.5355 acres tract being more particularly described by metes and bounds in the attached “Exhibit A”, (the “Property”), which is incorporated by reference for all purposes; by revising the existing PUD Site Plan and General Provisions and related terms, provided in the attached “Exhibit B”, (the “Plan”), which is incorporated by reference for all purposes; and

WHEREAS, the Planning and Zoning Commission of the City of Seabrook has conducted a public hearing, received input from staff and has issued its final report recommending approval of the subject PUD amendments; and

WHEREAS, all required hearings on this matter have been held, all criteria have been established for the consideration by City Council, and the applicant has agreed to comply with all ordinances of the City of Seabrook;

WHEREAS, the City Council of the City of Seabrook is continually reviewing the provisions of the City Code of Ordinances relating to land use, regulation, and other circumstances which generally impact the health, safety and well-being of residents, citizens and inhabitants; and

WHEREAS, as a result of the said public hearings and the recommendation of the Planning and Zoning Commission as contained in its final report, the City Council hereby finds and determines that the proposed amendments to Ordinance 2022-08 “Edge at Seabrook Town Centre Planned Unit Development District Plan” “PUD” (Planned Unit Development), as provided herein, would not be detrimental to the community, and is in conformance with the zoning ordinance and comprehensive plan for development of the City;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEABROOK, STATE OF TEXAS:

SECTION 1. FINDINGS.

The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

SECTION 2. AMENDMENT TO ORDINANCE 2022-08 “EDGE AT SEABROOK TOWN CENTRE PLANNED UNIT DEVELOPMENT DISTRICT PLAN “PUD” (PLANNED UNIT DEVELOPMENT).

The Plan made based on Ordinance 2022-08 is hereby amended as referenced in the identified revisions attached hereto as Exhibit “B” (the “Plan”).

SECTION 3. REVISION

This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City of Seabrook, or prior Ordinance 2022-08, save and except the amendments permitted herein of said Property as described in Exhibit “B” hereof.

SECTION 4. INCORPORATION INTO THE CODE; PENALTY CLAUSE.

This ordinance is hereby incorporated and made a part of the Seabrook City Code. Violation of this Ordinance is subject to the penalty section of said Code including, Section 11.06, “Criminal Enforcement” which provides that any person

who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense. Additionally, should the subject PUD project fail to meet any schedule as approved herein, or otherwise fail to comply with this Ordinance, the PUD Plan, the PUD classification, and all related permits shall be terminated as provided by law.

SECTION 5. REPEAL OF CONFLICTING ORDINANCES.

All ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are hereby expressly repealed. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City of Seabrook, save and except the change in zoning classification and specific uses/structures approved in the Plan, as provided herein.

SECTION 6. SEVERABILITY.

In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part of provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Seabrook, Texas, declares that it would have passed each every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

SECTION 7. NOTICE.

The City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption and penalty after final passage in the official newspaper of the City; the Ordinance to take effect upon publication.

PASSED AND APPROVED on first reading with a quorum present, by an affirmative vote of a majority of Councilmembers present, in accordance with Seabrook City Charter Section 2.10 on this 16th day of January, 2024.

PASSED, APPROVED, AND ADOPTED on final reading with a quorum present, by an affirmative vote of a majority of Councilmembers present, in accordance with Seabrook City Charter Section 2.10 on this 6th day of February, 2024.

[SIGNITURES FOLLOW]

BY: _____
Thomas G. Kolupski
Mayor

ATTEST:

By: _____
Rachel Lewis, TRMC
City Secretary

APPROVED AS TO FORM:

David Olson
City Attorney

[EXHIBITS FOLLOW]

Exhibit “A” to Ordinance No. 2023-31

The Property – Metes & Bounds
11.096 acres

Legal Description:

Tract 1: A 3.9818 acre tract of land situated in the Ritson Morris Survey, Abstract 52, Harris County, Texas and being out of and a part of Lots 17 and 18 of Ruggles Subdivision as recorded in Volume 5 at Page 30 of the Map Records of Harris County, Texas. Said tract also being all of that certain 3.982 acres conveyed by The Presbyterian Extension Committee, Presbyterian Church, U.S. of Greater Houston to Richard W. Harral, Jr., by Deed dated July 10, 1978 and recorded under County Clerk’s File No. F676747 of the Deed Records of Harris County, Texas.

Tract 2: A 3.4196 acre tract of land situated in the Ritson Morris Survey, Abstract 52, Harris County, Texas and being out of and a part of Lots 17 and 18 of Ruggles Subdivision as recorded in Volume 5 at Page 30 of the Map Records of Hams County, Texas. Said tract also being all of that certain 1.7 16 acres conveyed by Red Bluff Development Company to City of Seabrook by Deed dated August 2, 1972 and recorded under County Clerk’s File No. D695743 of the Deed Records of Hams County, Texas; all of that certain 0.6887 of an acre conveyed by Red Bluff Development Company to City of Seabrook by Deed dated April 19, 1966 and recorded under County Clerk’s File No. C401938 of the Deed Records of Harris County, Texas and all of that certain 1.000 acre tract of land conveyed by Red Bluff Development Company to City of Seabrook by Deed dated December 9, 1967 and recorded under County Clerk’s File No. C828387 of the Deed Records of Harris County, Texas.

Tract 3: A 12.1341 acre tract of land situated in the Ritson Morris Survey, Abstract 52, Harris County, Texas and being out of and apart of Lots 15, 16, 17 and 18 of Ruggles Subdivision as recorded in Volume 5 at Page 30 of the Map Records of Harris County, Texas. Said tract also being out of and a part of the residue of that certain 40.92 acre tract of land conveyed by Theodore Dee McCollom, Jr. to Seabrook Venture II by Correction Deed dated March 1, 2000 and recorded under County Clerk’s File No. U265 748 of the Official Public Records of Real Property of Harris County, Texas.

Exhibit “B” to Ordinance No. 2023-31

1. Planned Unit Development Plan (on file with City Secretary).