The City Council and the Planning and Zoning Commission of the City of Seabrook met in special joint session on Tuesday, October 1, 2019 at 6:30 p.m. in Seabrook City Hall, 1700 First Street, Seabrook, Texas to discuss, consider and if appropriate, take action on the items listed below.

THOSE PRESENT WERE:

COUNCIL

THOM KOLUPSKI	MAYOR
ED KLEIN	COUNCIL PLACE NO. 1
LAURA DAVIS	COUNCIL PLACE NO. 2
JEFF LARSON	COUNCIL PLACE NO. 3
NATALIE PICHA	MAYOR PRO TEM
	COUNCIL PLACE NO. 4
BUDDY HAMMANN Ex. Abs.	COUNCIL PLACE NO. 5
JOE MACHOL	COUNCIL PLACE NO. 6
GAYLE COOK	CITY MANAGER
SEAN LANDIS	DEPUTY CITY MANAGER
STEVE WEATHERED	CITY ATTORNEY
ROBIN LENIO	CITY SECRETARY

PLANNING & ZONING COMMISSION

GARY RENOLA	CHAIRMAN
MIKE GIANGROSSO	VICE-CHAIR
SCOTT RENOLDS	MEMBER
ROSEBUD CARADEC	MEMBER
TRACIE SOICH	MEMBER
GREG AGUILAR	MEMBER
DARRELL PICHA	MEMBER
PAT PATEL	ADMINISTRATIVE ASSISTANT

Mayor Kolupksi and Chair Renola called the meeting to order at 6:30 p.m.

1. PUBLIC COMMENTS AND ANNOUNCEMENTS

Robert Cook, 2265 Sawyer drive, stated that Council and Planning and Zoning were previously told about the drainage problem. Every time there is one half inch of rain or more, water enters his property, and it is not a retention pond for this development. There is a violation because the developer is not allowed to let surface water onto the property. The reason for the joint meeting is to build above base flood elevation but the problem with the drainage issues needs to be fixed. After speaking to the developer, the drainage issue may be fixed. Mr. Cook asked that all permits be rejected and that all certificates of occupancy be postponed until the drainage issue is resolved.

2. CONSENT AGENDA

2.1 Approve the minutes of the January 15, 2019 joint meeting with Seabrook City Council and Planning & Zoning Commission. (Lenio)

Motion was made by Mayor Pro Tem Picha and seconded by Councilmember Klein

To approve the minutes of the January 15, 2019 joint meeting with Seabrook City Council and Planning & Zoning Commission

MOTION CARRIED BY UNANIMOUS CONSENT

Motion was made by Planning and Zoning member Tracie Soich and seconded by Planning and Zoning member Darrell Picha

To approve the minutes of the January 15, 2019 joint meeting with Seabrook City Council and Planning & Zoning Commission

MOTION CARRIED BY UNANIMOUS CONSENT

3. SPECIFIC PUBLIC HEARING

3.1 Conduct a joint public hearing on a request for amendments to the Chesapeake Bay Senior Living Community Planned Unit Development II (PUD).

Mayor Kolupski opened the joint public hearing.

Deputy City Manager, Sean Landis stated that the request is to increase maximum height of the structure from 40 feet to 55 feet. The request is only for phase 4 of the project. This project is a three story building with 92 units. When this project was originally approved, there could be low income housing tax credits or additional funding that would go toward this project. The applicant did receive some incentives through county funding, and not low income housing tax credits. As a result of using county funds, the applicant is now required to build two feet above the 500 year flood plain elevations. The City's current requirement is 18 inches above base flood elevation. It is a huge difference between the two standards, but the applicant is being mandated. This does create issues with the height of the building because they may have to elevate the building. Typically the City gives an allowance for this. It is built into the ordinance to build above base flood elevation, but in the developer's situation, the way it was written in the PUD the measurement is taken from finished ground, so that is why there is another need for this request.

The applicant, David Kugler, Presidnet of Mark-Dana Corporation, is the developer for phase 4 – Seaside Lodge at Chesapeake Bay. Mr. Kugler initially came before Council and got support for the tax credit application and did not receive the credit. Mr. Kugler re-applied for a tax credit again but did not receive an award of the second application for the tax credit. Harris County did receive funds for affordable housing through Harvey Recovery Funds made available for the State of Texas and Mr. Kugler did receive an award out of those funds. The announcement of receiving the award from Harris County was made at the end of June and the beginning of July. Harris County added a condition to the Harvey Recovery funds which requires compliance with Harris County flood regulations. The development will stay the same number of units and still provide affordable housing but will now be through a different financing program.

The new funding mechanism is generally the same but there are some differences. Under the tax credit program, the max level of income and rent is 60% of area median income. Under the County's program, it's 80% of area median income. Under tax credit program, the developer was targeting 30% of area median income, then 50% of area median income, then between 50%-60% of area median income. The band that was capped at 60% of area median income is now capped at 80% of area median income. There is still an age restriction to 55 and older.

Phase 1 and Phase 3 are planned to be built at the same time. The first quarter of 2020, onsite construction will begin and construction will be complete by the second quarter 2021, and by the fourth quarter of 2021 occupancy will begin. Phase 2, which is the commercial area, has seen some development. The County will be given the scheduling for phase 4. The timelines are conservative. Construction designs are pending approval. The raised portion underneath the building will be finished off. There will be no stilts and will have a finished appearance. The A/C units will sit on the ground as long as the ground is elevated, otherwise, the A/C units will be on the roof. The A/C units will not be on stilts.

Mr. Kugler is asking to amend the PUD for only phase 4 to allow a 55 foot elevation measured to the median of the roof line.

Mayor Kolupski closed the public hearing.

Upon motion duly made and seconded, Mayor Kolupski adjourned the meeting at 6:45p.m.

SIGNATURE PAGE FOLLOWING

CITY COUNCIL

Thomas G. Kolupski,
Mayor

Date

Robin Lenio, TRMC
City Secretary

PLANNING & ZONING COMMISSION

Gary T. Renola

Gary T. Renola,
Chairman

6/18/20

Date