



RICHMOND

EST. **TEXAS** 1837

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Planning & Zoning Commission Meeting Minutes

City Commission Room | 600 Morton Street, Richmond, Texas 77469

Monday, January 7, 2019, at 5:00 P.M.

The Planning and Zoning Commission for the City of Richmond, Texas met in a regular meeting on Monday, January 7, 2019, at 5:00 p.m. Commissioner Hogue called the meeting to order at 5:00 p.m. A quorum was present, with the following members in attendance:

Ernest Hogue (*Chair*)

Larry Pittman (*Vice Chair*)

Libby King

Katherine M. Graeber – Kubelka

Staff in attendance: Gary Smith, City Attorney; Howard Christian, Assistant City Manager; Jose Abraham, Planning Director; Lori Bownds, Building Official; Christine Cappel, Public Works Administrative Manager; and Jordan Adams, GIS Specialist.

Commissioner Hogue declared the meeting open.

Commissioner Hogue introduced agenda item A2., public comments. He asked if there were any public comments. Mr. Victor Martinez, residing at 2007 Williams Way Blvd, came forward to speak; but since the comments and questions pertained to agenda item C2a., he was advised that he can address the commission when agenda item C2a., is introduced. Hearing no further public comments, the agenda item was closed.

Commissioner Hogue introduced agenda item B1., review and approval of the minutes from December 3, 2018. Commissioner Pittman moved to approve the minutes. The motion was seconded by Commissioner King. The vote for approval was unanimous.

Commissioner Hogue introduced agenda item B2., stating that the next Planning and Zoning Commission meeting will be on Monday, February 4, 2019, at 5:00 p.m.

Commissioner Hogue introduced agenda item C1., elect Planning and Zoning Commission Chair and Vice-Chair. Commissioner Hogue moved to elect Commissioner Pittman as the Chair and Commissioner Kubelka as the Vice Chair. The motion was seconded by Commissioner King. The vote in support of the motion was unanimous.

Commissioner Hogue introduced agenda item C2a., public hearing to receive comments for or against a request by Ryan Moeckel to rezone 17.8821 acres (778,942 square feet) of land from General Residential (GR) to General Commercial (GC) and to the extent the rezoning deviates from the Future Land Use Plan of the Comprehensive Plan, to provide for an amendment thereto. The subject site is located along the north side of Williams Way Boulevard and Golfview Drive intersection, with a levee and Brazos River to the North; recently constructed "Liberty Center" retail strip center and Fountains at Jane Long Farms residential neighborhood to the south; residential lots on Ayala Court to the east; and Fort Bend County Justice Center to the west.

Mr. Victor Martinez, residing at 2007 Williams Way Blvd, spoke against the proposed rezoning citing concerns about increased traffic resulting from the new development. He also inquired about the details of the proposed development for the subject site. Ms. Kay Brennan, residing at 103 Ayala Court, spoke against the proposed rezoning. She indicated that the subject site abuts her subdivision and the proposed rezoning would negatively impact them due to the increased noise, commercial activity, and traffic. She also inquired about the intended development for the subject site and whether adjoining property owners will be able to see plans before the project is approved by the commission. Mr. Jason Brennan, residing at 103 Ayala Court, spoke against the proposed rezoning and suggested that the proposed commercial use of the subject site would negatively impact his property. He indicated that he would like to know what types of businesses are being proposed and also asked staff if he could access the details of the proposed development. Mr. Abraham, Planning Director, explained that if the proposed rezoning is approved, the property may be developed for any land use allowed within the GC, General Commercial district and that development plans are approved administratively. Mr. Abraham read out the list of permitted, limited, and conditional uses associated with the GC, General Commercial district and also indicated that the UDC provides specific development regulations and requirements pertaining to landscaping, building setback, outdoor lighting etc., for the protection of residential uses adjoining a commercial use. He added that a presentation about the agenda item would be made after the public hearing and that staff would be more than happy to provide more details about the development process after the meeting.

Mr. Larry Siller (applicant) mentioned that the subject site was annexed into the city limits and platted with an understanding that it would be developed as commercial but later the City zoned the subject site for residential use. He further added that he made utility related investments on the subject site for commercial development based on a reimbursement agreement with the City of Richmond. Mr. Nathan Young (applicant) concurred with Mr. Siller and stated that the subject site was always intended to be developed for commercial use and requested that the proposed rezoning be approved. Mr. Clint Witten residing at 1907 Ayala Court spoke against the proposed rezoning citing traffic concerns and asked about the City's role to help raise property values. The public hearing was closed.

Commissioner Hogue introduced agenda item C2b., consideration of the approval of a final

report to the City Commission on Agenda Item C2a. Mr. Abraham made a presentation and indicated that proposed rezoning is in compliance with the 2014 Comprehensive Master Plan Goals, but that it does not conform to the City of Richmond's Future Land Use Plan; which identifies the subject site as General Residential, the purpose of which is to allow for "Single-family detached or attached homes, town homes, or patio homes characterized by less openness and separation between dwellings, relative to suburban residential areas." Mr. Abraham stated that staff recommended approval of the proposed rezoning, and that the Future Land Use Map must be amended if the proposed rezoning is approved.

The Planning and Zoning Commissioners inquired of staff about the subject site's history in terms of platting, zoning, and the agreement referenced by the applicant. Mr. Smith (City Attorney) and Mr. Abraham indicated that staff was not aware of the referenced agreement with the City and would have to research and review the information to provide an accurate response. The Planning and Zoning Commissioners generally discussed the proposed rezoning. Commissioner Pittman moved to table agenda item C2b., consideration of the approval of a final report to City Commission on Agenda Item C2a., until the next regular meeting. The motion was seconded by Commissioner King. The vote in support of the motion was unanimous.

Commissioner Hogue introduced agenda item C2b., consideration of the approval of a final report to City Commission on Agenda Item C2a., public hearing to receive comments for or against text amendments to the Unified Development Code, to replace the term "lot" with "manufactured home lot or space" within certain sections that pertain to Manufactured Home Parks and Subdivisions. The specific sections include:

- 1) Section. 4.1.204, Manufactured Home Parks and Subdivisions
- 2) Section. 6.1.107, Nonconforming MHPs and RV Parks
- 3) Table 3.1.102A, Single-Family Detached Lot and Building Standards
- 4) Section. 6.3.313 Manufactured Home Placement/Occupancy Permit
- 5) Section. 5.1.103 Manufactured Home Standards.

Mr. Abraham made a presentation and indicated that certain sections within the UDC that pertain to Manufactured Home Parks and Subdivisions erroneously use the term "Lot" for parcels within Manufactured Home Parks or subdivisions for the placement of a single manufactured home, which creates a problem of interpretation and application of regulations. Mr. Abraham stated that staff recommends approval of the proposed UDC text amendment. Commissioner Pittman inquired about the reason for changing the term "lot" to "space" within Subsection. 5.1.103. H. *Accessory Structures and Buildings*. Mr. Abraham stated that the subject requirement only pertains to manufactured home spaces as it applies only to manufactured home parks and not manufactured home subdivisions. Commissioner Pittman moved to approve the proposed UDC text amendment to replace the term "lot" with "manufactured home lot or space" within certain sections that pertain to Manufactured Home Parks and Subdivisions. The motion was seconded by Commissioner King. The vote to approve was unanimous.

There being no further business to be brought before the Planning and Zoning Commission, Commissioner King moved to adjourn the meeting. The motion was seconded by Commissioner Kubelka. The vote for adjournment was unanimous.

Approved:



Larry Pittman, Planning and Zoning Commission Chair