



RICHMOND

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Planning & Zoning Commission Meeting Minutes

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

Monday, April 1, 2019, at 5:00 P.M.

The Planning and Zoning Commission for the City of Richmond, Texas met in a regular meeting on Monday, April 1, 2019 at 5:00 p.m. Chairman Pittman, called the meeting to order at 5:00 p.m. A quorum was present, with the following members in attendance:

Larry Pittman (Chair)

Katherine M. Graeber-Kubelka (Vice Chair)

Noell Myska

Ernest Hogue

Libby King

Staff in attendance: Jose Abraham, Planning Director; Mason Garcia, Associate Planner; Jordan Adams, GIS Specialist; Christine Cappel, Public Works Administrative Manager; Howard Christian, Assistant City Manager and Gary Smith, City Attorney.

Commissioner Pittman introduced agenda item A2, public comments. He asked if there were any public comments not pertaining to items on agenda. Ms. Donna Coleman from Fort Bend Municipal Utility District (MUD) 187 (Del Webb Sweetgrass) addressed a resolution passed at the MUD's most recent board meeting. Ms. Coleman explained that the resolution requests access limitations to Del Webb Sweetgrass, based on the fact that it is an age-restricted community with residents over the age of fifty-five. This was in reference to future connection to the Veranda residential Development. She stated that HUD guidelines are clear regarding road access, and keeping communities intact. Furthermore, Ms. Coleman added that Fort Bend County MUD 187 had concurrently passed a resolution in support of new community convention center. Hearing no further public comment, the agenda item was closed.

Commissioner Pittman introduced agenda item B1., review and approval of the minutes from March 4, 2019. Commissioner Hogue indicated that the Chair and Vice-Chair incorrectly. Commissioner Hogue moved to approve the minutes with the discussed corrections. The motion was seconded by Commissioner Myska. The vote for approval was unanimous.

Commissioner Pittman introduced agenda item B2., stating that the next Planning and Zoning Commission meeting will be held on Monday, May 6, 2019, at 5:00 p.m.

Commissioner Pittman introduced agenda item C1., Review and recommendation of a final report to City Commission for a preliminary plat – Veranda Section Twenty-Nine – 8.3 acres of land – 20 Lots – 2 Blocks – 3 Reserves. Commissioner Hogue abstained from voting. Commissioner Kubelka moved to forward a positive recommendation of approval to the City Commission. The motion was seconded by Commissioner Myska. The vote for approval was unanimous.

Commissioner Pittman introduced agenda item C2a., Public hearing to receive comments for or against a request by Dave Strickland to replat approximately 11.10 acre tract of land; being a replat of Lot 9 in Block 4 of Grand River Section 1 in order to create one (1) Block and two (2) Lots. Hearing no public comment, the agenda item was closed.

Commissioner Pittman introduced agenda item C2b., Review and recommendation of a final report to City Commission for a replat of Lot 9 in Block 4 of Grand River Section 1 – 11.10 acres of land – 1 Block – 2 lots – 0 Reserves. Commissioner Hogue moved to forward a positive recommendation of approval to the City Commission with the conditions stipulated in the staff report. The motion was seconded by Commissioner King. The vote for approval was unanimous.

Commissioner Pittman introduced agenda item C3., Review and recommendation of a final report to the City Commission for a proposed adjustment to the City of Richmond extraterritorial jurisdiction (ETJ) boundary lines located to the east of FM 723, south of Kingdom Heights residential neighborhood, north of Riverwood Village residential neighborhood, and west of Riverwood Village Drive. Planning Director Jose Abraham explained that the ETJ boundary line currently divides several properties between the jurisdictions of the City of Richmond and City of Rosenberg, thus complicating development and regulation of the aforementioned properties. Commissioner Myska moved to forward a positive recommendation of approval to the City Commission for the proposed ETJ boundary line adjustment. The motion was seconded by Commissioner King. The vote for approval was unanimous.

Commissioner Pittman introduced agenda item C4., Public hearing to receive comments for or against a petition for inclusion in the City of Richmond ETJ of an approximate 13.97 acre tract of land presently located within the City of Rosenberg's ETJ. The subject property can be described as an approximate 13.97 acre tract of land in the William Andrews League, Abstract No. 3, Fort Bend County, Texas; said 13.97 acre tract being a portion of the remainder of a 24.6723 acre tract of land conveyed to Mark W. Millis, as recorded in Fort Bend County Clerk's File No. 2008081464, and a portion of a 5.5532 acre tract of land "Levee Tract No. 3" conveyed to Fort Bend County Levee Improvement District No. 20, as recorded in Fort Bend County Clerk's File No. 2011056371. Mr. Abraham explained that this particular tract was included as a portion of the boundary adjustment between City of Richmond and City of Rosenberg. However, because the property was situated outside the one mile radius from the City Limits, the applicant was required to petition for the property's inclusion within the City of Richmond ETJ. Hearing no public comment, the agenda item was closed.

Commissioner Pittman introduced agenda item C4b., Consideration of the approval of a final report to City Commission on agenda item C4a., above. Commissioner Myska abstained from discussing the issue and voting on the item due to potential conflict of interest. Commissioner Kubelka moved to forward a positive recommendation of approval to the City Commission. The motion was seconded by Commissioner King. The vote for approval was unanimous.

Commissioner Pittman introduced agenda item C5., Review and recommendation of a final report to City Commission for a preliminary plat – Providence at Kingdom Heights – 17.0336 acres of land – 97 Lots – 2 Blocks – 3 Reserves and a plat variance to deviate from the minimum required lot width of 50 feet and minimum required lot area of 6000 sq. ft. Mr. Abraham presented that the applicant is requesting a variance to build proposed 45' wide lots for the development. Contrary to the previous four sections of Kingdom Heights, which featured lot sizes ranging from 55' to 60', the final section of the subdivision would include significantly smaller lot sizes. Mr. Abraham stated staff's position of denial based on the premise that the plat deviates from the previously approved Kingdom Heights General Plan, and because the variance request did not appear to be based on hardship caused by an

extraordinary circumstances pertaining to site. Mr. Abraham further stated that if the Planning and Zoning Commission forwarded a recommendation of approval to the City Commission, it be based on the conditions indicated in the staff report.

Marvin Marcel, representing the Millis Group, spoke on behalf of the applicant, and provided background about the development. Mr. Marcel explained that the Millis Group had purchased the tracts twelve years prior, and had struggled since that time to devise a viable development plan within regulations that would simultaneously allow them to recover the cost of the original investment. The Millis Group had concluded that by constructing 45' wide lots, they could build the development, and sell the homes at a price that met marketplace standards. Mr. Marcel clarified that despite the smaller 45' lot size, the homes would still meet the standards of the rest of the Kingdom Heights subdivision. Additionally, Mr. Millis himself elaborated on Mr. Marcel's statement, and further explained the hardship the Millis Group faced with the development, and advocated for allowing the 45' lot variance. Commissioner Myska abstained from discussing the issue and voting on the item due to potential conflict of interest. Following some prolonged discussion and clarification from the Commission members, Commissioner King moved to forward a positive recommendation of approval to the City Commission for the preliminary plat and a variance request to deviate from the minimum required lot width of 50 feet and minimum required lot area of 6000 sq. ft., with the following conditions:

- a) The General Plan for Kingdom Heights shall be amended.
- b) The petition to include a portion of this subdivision into Richmond ETJ is approved by the City Commission.
- c) A preliminary one-line drawing for water line, sanitary sewer, and storm sewer is submitted for review.

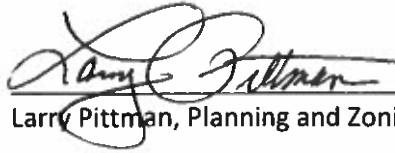
The motion was seconded by Commissioner Hogue. The vote for approval was unanimous.

Commissioner Pittman introduced agenda item C6a., Public hearing to receive comments for or against text amendments to the Unified Development Code, to make revisions to certain regulations pertaining to OT, Olde Town district; to provide for single family residential use, live work units, accessory dwelling units, credit for on-street parking, credits for mature trees, and lot size. Mr. Robert Haas, resident of 1716 Magnolia Lane, spoke regarding the text amendments. He stated that although he was in favor of the text amendments, he cautioned against possible enforcement concerns, specifically related to parking. Hearing no other public comment the agenda item was closed.

Commissioner Pittman introduced agenda item C6b., Consideration of the approval of a final report to City Commission on Agenda Item C6a., above. Mr. Abraham presented an update and overview of the text amendments, including allowance of single family residential uses, live work units, accessory dwelling units, on-street parking, landscaping considerations, and lot sizes. Following the presentation and intermittent discussion amongst the Commission members, Commissioner Hogue moved to forward a positive recommendation of approval to the City Commission for the proposed UDC text amendment pertaining to OT district. The motion was seconded Commissioner Kubelka. The vote for approval was unanimous.

There being no further business to be brought before the Planning and Zoning Board, Commissioner Pittman adjourned the meeting at 6:18 p.m.

Approved:

A handwritten signature in black ink, appearing to read "Larry Pittman", written over a horizontal line.

Larry Pittman, Planning and Zoning Commission Chair