



RICHMOND

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Planning & Zoning Commission Meeting Minutes

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

Monday, July 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, July 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)
Ernest Hogue
Noell Myska

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; Cliff Holik, Superintendent, Mike Moody, Superintendent; Lori Bounds, Building Official; Terri Vela, City Manager; and Gary Smith, City Attorney

Commissioner Pittman introduced agenda A2, public comments. He asked if there were any public comments for sections that do not include items on the agenda. Hearing no public comment, the agenda item was closed.

Commissioner Pittman introduced agenda item B1., review and approval of the minutes from June 3, 2019. Commissioner Hogue moved to approve the minutes. The motion was seconded by Commissioner Kubelka. The vote for approval was unanimous.

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

Commissioner Pittman introduced agenda item C1a., Public hearing to receive comments for or against a request by Alberto C. Rey & Gemma Rey to replat approximately 11.58 acre tract of land; described as Lot 4 of Block 4 of Grand River 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 C1b., Review and recommendation of a final report to City Commission for replat of Lot 4 of Block 4 of Grand River – 11.58 acres of land – 1 Block – 2 lots – 0 Reserves. Mr. Abraham explained that the item was a residential replat, and that is similar to a recently considered replat within the Grand River subdivision. Mr. Abraham presented Staff's recommendation of approval, conditioned upon addressing comments listed in the report. Commissioner Hogue moved

to forward staff's recommendation to the City Commission. The motion was seconded by Commissioner Kubelka. The vote for approval was unanimous.

Commissioner Pittman introduced agenda item C2., Review and recommendation of a final report to City Commission for a final plat – Veranda Section Twenty-Nine – 8.23 acres of land – 20 Lots – 2 Blocks – 2 Reserves. Commissioner Hogue abstained from the vote, citing a potential conflict of interest related to Johnson Development activity. Mr. Abraham stated Staff's recommendation of approval, conditioned upon addressing comments listed in the report. Commissioner Kubelka moved to forward staff's recommendation to the City Commission. The motion was seconded by Commissioner Myska. The vote for approval was unanimous.

Commissioner Pittman introduced agenda item C3., Review and recommendation of a final report to City Commission for a preliminary plat – Hope on the Brazos – 6.567 acres of land – 23 Lots – 1 Block – 1 Reserve, and a plat variance to deviate from the minimum area of development requirement of 10 acres as provided in Table 3.1.101 of the Unified Development Code (UDC). Mr. Abraham delivered a presentation regarding the applicant's request for two variances for the preliminary plat. The first variance pertained to sections of the Public Infrastructure Design Manual detailing standards and guidelines for road ditch design. Mr. Abraham explained that the Public Infrastructure Design Manual permits road side ditch design for single family residential lots within tracts greater than or equal to 1-acre, a stipulation that the preliminary plat did not qualify for. As this variance applied to guidelines set in the Public Infrastructure Design Manual, the request was subjected to administrative review by the City Engineer, and had been approved prior to this meeting.

The second variance request pertained to Table 3.1.101 of the UDC, which requires minimum development area of 10 acres for a planned neighborhood with minimum 50 foot lot width and 6,000 square feet lot area. According to Mr. Abraham, since the subject site amounted to approximately 6.5 acres, the minimum lot size requirement is 70 foot width and 12,000 square foot lot area. Mr. Abraham presented staff's recommendation of denial based on the following analysis:

- The variance will permit an intensity of use of land that is not permitted in the General Residential district. The intent of the regulation appears to be to limit scattered concentration of higher density single-family residential development.
- The development of a permitted use of the land is possible without the requested variance. The subject site may be developed for 70 foot wide lots.
- A literal interpretation of the provisions of the UDC would not deprive the applicant of rights commonly enjoyed by other residents of the district in which the property is located.
- Granting the variance will confer on the applicant special privilege that is denied to other lands or structures in the same district.
- The need for a variance results from the action of the applicant. As mentioned during the consideration of the annexation request for the subject site, the applicant was aware of the regulation and stated the site would be developed with 70 foot wide lots, if the variance request was denied.
- The regulation does not prohibit the applicant from developing the site for the intended use, it only requires larger lots.
- The requested variance is not consistent with the 2014 Comprehensive Master Plan goal D.5., which focuses on guiding the types, patterns, and designs of housing developments using the Future Land Use Plan and development regulations.

Mr. Abraham added that since the existing residential uses in close proximity to the subject site are predominantly, apartment buildings, trailer parks, and residential lots that are less than 6,000 square

feet, a subdivision with minimum 70 foot wide lots and 12,000 square foot may be a stark contrast. He also mentioned that the gross density of the proposed development is 3.5 lots per acre, and the maximum gross density allowed for planned residential neighborhood with minimum 50 foot wide and 6000 square foot lot area is 4.28 lots per acre as provided in Table 3.1.101. He concluded that if the Commission were to recommend approval of the preliminary plat and plat variance, the approval be conditioned upon addressing comments listed in the report.

Sherwin Sun, the Executive Director of Fort Bend Habitat for Humanity, spoke on behalf of the organization's leadership about the development. Mr. Sun explained that the subject tract was granted to Fort Bend Habitat for Humanity from the George Foundation. Although this was the organization's first large scale development within Richmond's city limits, the group had previously constructed over thirty homes in the past twenty years in the City. Mr. Sun further elaborated that Habitat for Humanity Homes are built for low-income families, which are in turn mortgaged by the homeowners. As such, the homeowners would have a vested interest in not only the home, but the community itself. Mr. Sun reasoned that since the dimensions of the homes would not change, regardless of lot size, that smaller lots would dually ease the burden on the homeowner to maintain large tracts, and allow Fort Bend Habitat for Humanity to maximize use of the land. He concluded with a statement that the surrounding area was comprised of mobile home parks or other single-family residences, and that the smaller lots would enable Fort Bend Habitat for Humanity to produce a high-quality, yet affordable product for families.

Commissioner Hogue inquired about lot sizes for other Fort Bend Habitat for Humanity homes located on North 10th Street. Mr. Sun answered that those particular homes featured 60' foot lots. He added that while he understood the intent of the UDC, Fort Bend Habitat for Humanity were granted only 6.5 acres, rather than the 10 acres stipulated in the UDC, and were simply trying to maximize their usage of the land. Commissioner Hogue moved to forward staff's recommendation of denial to the City Commission. The motion was seconded by Commissioner Kubelka. The vote for denial was unanimous.

Commissioner Pittman introduced agenda item C4., Presentation of a draft report on the 2018 Water and Waste Water Impact Fee Update. Mr. Christian provided background for the report as part of the City's review process for the integrated Water & Wastewater Master Plan, which included evaluations of existing and planned infrastructure, future service area expansion, and 10-year projections for water and wastewater usage. Mr. Christian explained that existing and future infrastructure projects are funded through impact fees assessed in customer payment for water and wastewater utilities. As part of the review and finalization of the Water & Wastewater Master Plan, the Planning & Zoning Commission was appointed as the impact fee advisory board on behalf of the City.

Commissioners Pittman asked for clarification regarding the Commission's role in this process, and the recommended approach for their evaluation of the impact fee updates. Ms. Angie Flores spoke on behalf of Raftelis (Consulting Firm), and delivered a presentation to explain the purpose behind the impact fees, how impact fees are assessed, and the Commissions' role in the evaluation of the updated impact fees. Ms. Flores explained that Raftelis—in conjunction with consultants from KIT— developed an impact fee rate study and financial planning model using the City's integrated Water and Wastewater Master Plan, Capital Improvement Plan, growth projections, and land use assumptions for the surrounding area. The impact fee study also factored State of Texas statutes and laws governing impact fee calculations. Ms. Flores stated that the impact fees presented in the update represent the maximum allowable fees. Based on the analysis conducted by Raftelis, Ms. Flores recommended that the City adopt the maximum allowable impact fees, as impact fees set to the maximum rate would allow the City greater flexibility to cash fund projects, and require less frequent reevaluations of the impact fee rates.

Ms. Terri Vela, City Manager, asked a question regarding the justification for utilizing impact fees for City projects. Ms. Flores explained that Raftelis identified current or future projects eligible for funding via impact fees. According to Ms. Flores, if the City decided to assess impact fees less than the maximum allowable, that projects would be debt funded at a higher percentage, rather than cash funded from the impact fees, which would result in higher rates for customers.

Commissioner Kubelka moved to forward a recommendation to the City Commission to approve the maximum allowable Impact Fees. The motion was seconded by Commissioner Hogue. 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 6:21 p.m.

Approved:



Larry Pittman, Planning and Zoning Commission Chair