



RICHMOND

EST. **TEXAS** 1837

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Planning & Zoning Commission Meeting Minutes

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

Monday, April 4, 2022, at 5:00 P.M.

The Planning and Zoning Commission for the City of Richmond, Texas met in a regular meeting on Monday, April 4, 2022 at 5:07 p.m. A quorum was present, with the following members in attendance:

Katherine M. Graeber-Kubelka (Chair)

Juan Martinez

Aimee Frederick

Noell Myska

David Randolph

Staff in attendance: Jose Abraham, Planning Director; Christine Cappel, Public Works Administrative Manager; Terri Vela, City Manager; Gary Smith, City Attorney; Duane Whitehead, City Engineer; Rebecca Haas, Mayor; Barry Beard, Commissioner Position 2; Scott Fajkus, Building Official; and Jerry Jones, Economic Development Director.

Commissioner Kubelka introduced agenda A2, Recite the Pledge of Allegiance to the U. S. Flag and the Texas Flag. Pledge of Allegiance to the U.S. Flag and Texas Flag was recited.

Mr. Abraham made a brief announcement provided some clarification regarding item C4, Proposed Preliminary Plat for Williams Ranch Business Park. He explained that there seems to be a perception that a decision on the proposed project was to be made by the Planning and Zoning Commission at this meeting, which he explained is not accurate. He explained that the Planning and Zoning Commission forwards a recommendation to the City Commission, and that the City Commission votes to make decision at the April 18, 2022 regular meeting.

Commissioner Kubelka introduced agenda A3, public comments, and asked if there were any public comments.

Mr. Mark Burke, residing at 3103 Lacewing Way, spoke regarding Agenda item C4. He prefaced his comments by citing his experience as a Texas Registered Professional Land Surveyor and a resident of Dell Webb. He expressed his concerns about the proposed Williams Ranch Business Park. He explained that the proposed site is inconsistent with the City's development goals and inconsistent with the adjoining residential uses. He said that a freight distribution center is not within the definition of general commercial

and that the proposed use contradicts City of Richmond's stated vision of premium development. He cited that the frequent trucks would create excessive noise, light and air pollution, and result in decreased property values for the surrounding properties and health issues for the residents. He explains as a Texas Land Surveyor he has seen good development in the right location and bad development in the wrong locations and explained that the proposed land use is an example of the wrong development for this specific area. He concluded that this proposed land use is not within the vision of the City of Richmond and is not consistent with the Commission's published future land use plan and stated that it should not be permitted.

George Hood, residing at 3131 Dandelion Drive, expressed his opposition to the proposed business park. He emphasized the negative impact on all residents' life, health, and property values resulting from the proposed development. He emphasized that both Commissions should consider rejecting the proposed business park. He indicated that the residents would feel like victims if the proposed development is approved. He requested that each of the Commissioners to reflect on what they would do if proposed development was located 50 feet from their own backyard.

Clifford Kelly, residing at 914 Hillcrest Drive, Del Webb Homeowner's Association Board Member, explained while not immediately affected by the development, the proposed development will negatively impact the community. He expressed traffic related concerns and explained that he couldn't imagine backing up to this proposed business park. He stated that they have seen increased traffic on FM 762 due to the general growth of Richmond. He indicated that the property owner should find a suitable alternative for this business and let this business go somewhere else. He explained that the residents are all for growth in Richmond and the community, but he doesn't believe that this is the type of growth that neighbors would like to see.

Ali Khan, 22531 Strathmore Drive, stated that he lives in Williams Ranch neighborhood at the corner of Andado Lane and Strathmore Drive. He expressed that he is most affected by this development due to proximity. He explained that his property will be touching the proposed development and indicated that he had just learned the development. He indicated that most of his neighbors are young professionals who are unable to attend the meeting due to their working hours. He cited that he used to own 18-wheelers and explained that idling of 18-wheelers result in reverberations and emissions. He expressed that he is really upset due to the health issues that the proposed business park would cause. He added that there are alternate locations where the proposed development will be a better fit and he concluded by emphasizing his opposition to the proposed Williams Ranch Business Park.

Norman Notle, residing at 3002 Lacewing Way, explained that his concerns were already mentioned and covered.

Mark Wilson, residing at 1718 Saxon Bend Trail, prefaced his comments by citing his experience as a builder and developer. He explained that the proposed development is an industrial complex irrespective of the appearance. He noted that traffic related impact is his major concern. He explained that he has owned 18-wheelers in the past and discussed issues such as ability of the feeder roads to handle the traffic, noise, and pollution. He gave examples suggesting how the 18-wheelers would park within other areas such as HEB and Brazos Town Center causing additional problems. He indicated that he understands that the agenda item is only a variance for the road, but he is vehemently opposed to the approval of the variance or development of the Williams Ranch Business Park until traffic studies are provided and given to the public for review.

Hearing no further public comments, the agenda item was closed.

Commissioner Kubelka introduced agenda item B1., Review and approve minutes from the March 7, 2022, meeting. Commissioner Frederick moved to approve the minutes. The motion was seconded by Commissioner Myska. The vote for the motion was unanimous.

Commissioner Kubelka introduced agenda item B2., stating that the next Planning and Zoning Commission meeting would be on Monday, May 2, 2022 at 5:00 p.m.

C4a was moved and spoke about first due to the large audience interested in the agenda item.

Commissioner Kubelka introduced agenda item C4a., Review and recommendation of a final report to City Commission for a Preliminary Plat – Williams Ranch Business Park – 73.295 acres of land – 1 Block – 0 Lots – 4 Reserves. The subject site is located along the north side of Highway 59 and to the south of Williams Ranch and east of Del Webb residential subdivisions. Mr. Abraham identified the subject site and clarified that this was an application for a proposed Preliminary Plat with an associated Variance to Section 4.5.102. B of the UDC which requires “Wherever streets have been dedicated or platted on abutting properties for extension into or through a proposed subdivision, then those streets shall be incorporated into the street layout of the proposed subdivision.” Mr. Abraham asked Commissioner Kubelka if individuals attending via Zoom are allowed to make a comment, to which, she indicated that the Public Comment section is closed.

Mr. Abraham continued and specified that the reason for the variance is to waive the requirement to extend Andado Lane which is a street within Williams Ranch Residential Subdivision. He indicated that the subject site is proposed to be developed as an industrial distribution center and multi-family development. He explained that the subject site is located within Richmond ETJ, where the City does not regulate landuse but clarified that certain site development standards of the UDC would apply. He also mentioned that the subject site is identified as General Commercial on the adopted Future Land Use Plan but clarified that the Future Land Use Plan is not a Zoning Map and only serves as a guide for future growth and development. He added that the applicant has provided a conceptual site plan but conformance to development standards especially buffering between the subject site and existing residential development cannot be determined without a detailed site plan and landscape plans. He explained that he had received about 66 emails from residents expressing their concerns about this development. He continued by emphasizing that the state statute does not allow Cities to regulate or restrict landuse in the ETJ but also indicated that impact on traffic, drainage, and other site improvements will be reviewed prior to approval of a final plat. He added that a variance is also required from Fort Bend County for the approval of the plat as presented. He explained that if the variance is approved this development and plat can continue to the next stage, which is the Final Plat application. If the variance is not approved, the plat must be redone to meet the requirement, at which time the plat will be reviewed and presented to Commission. Mr. Abraham concluded with the recommendation that if the variance is approved, the proposed plat be approved with a condition that comments listed in the staff report are addressed.

The applicant, Christen Vestal, spoke and explained that the property is in the ETJ and not in the City limits and that zoning does not apply to this property. She explained that the City can only review the plat for subdivision related requirements. She also explained that the West Fort Bend Management District standards also apply to the proposed development. She explained that the proposed development is a Class A business park with offices and some warehouses and clarified that it is not an industrial park. She also commented that the existing residential neighborhoods have sufficient street connectivity.

Following general discussion about the plat application and the variance request, the Planning and Zoning Commission decided to adjourn to executive session for legal consultation at 6:02 p.m. as authorized by Texas Open Meetings Act. No action was taken at the executive session and was closed at 6:21 p.m.

Upon reconvening and resuming the regular meeting, Commissioner Kubelka introduced agenda item C4a., Review and recommendation of a final report to City Commission for a Preliminary Plat – Williams Ranch Business Park – 73.295 acres of land – 1 Block – 0 Lots – 4 Reserves. Commissioner Myska moved to forward a recommendation to deny the requested variance to Section 4.5.102. B of the UDC and the proposed Williams Ranch Business Park Preliminary Plat to the City Commission. The motion was seconded by Commissioner Martinez. The vote for the motion was unanimous.

Commissioner Kubelka introduced agenda item C1., Review and recommendation of a final report to City Commission for a Preliminary Plat – Kingdom Heights Section Seven – 72.080 acres of land – 6 Blocks – 159 Lots – 4 Reserves. The subject site is a section within the Kingdom Heights Master Planned Community located along the east side of FM 723. Mr. Abraham explained that the general plan for Kingdom Heights was approved in 2016 and later updated in 2019. He explained the slight variation in the lot layout for the proposed section compared to the approved Concept Plan. He explained that in comparison to the Concept Plan, total number of lots have reduced from 169 to 159. Commissioner Myska moved to forward Staff's recommendation of conditional approval to the City Commission. The motion was seconded by Commissioner Martinez. The vote for the motion was unanimous.

Commissioner Kubelka introduced agenda item C2., Review and recommendation of a final report to City Commission for a Preliminary Plat – Indigo Section 1 – 108.6 acres of land – 13 Blocks – 243 Lots – 29 Reserves. The subject site is a section within a proposed Master Planned Community located between Harlem Road and Grand Parkway, south of Owens Road. Mr. Abraham explained that the proposed plat is for a section within the master planned development formerly called Agrihood. He explained that the development is conceived as a high density, walkable community with housing choices of various sizes. He further added that a Development Agreement including variances to standards of the UDC was approved for the proposed development. Upon explaining the comments listed in the staff report, Mr. Abraham concluded by recommending conditional approval. Staff and Commissioners discussed the proposed plat with respect to the lot sizes, on-street parking, and tire tread analysis for the fire trucks. Commissioners expressed their general concerns regarding the overall density and smaller lot sizes. However, the Commissioners also noted that providing housing choices helps communities and that high density development should be designed appropriately to be successful. Mr. Abraham indicated that he could give a presentation on the provisions of the Development Agreement at the next regular meeting. Commissioner Myska moved to forward Staff's recommendation of conditional approval to the City Commission. The motion was seconded by Commissioner Frederick. Commissioner Randolph voted 'Nay;' Commissioner Martinez voted 'Aye'; Commissioner Frederick voted 'Aye'; Commissioner Myska voted 'Aye;' and Commissioner Kubelka voted 'Aye' and the motion passed.

Commissioner Kubelka introduced agenda item C3., Review and recommendation of a final report to City Commission for a Preliminary Plat – Wall Street Village – 45.131 acres of land – 4 Blocks – 151 Lots – 3 Reserves. The subject site is located at the southeastern portion of FM 2218 and Wall St intersection, south of Walmart. Mr. Abraham explained that the concept plan was recently approved. He further explained that the proposed preliminary plat deviates from the approved concept plan with modifications to the street lot layout resulting in an additional lot. The Commission and staff generally discussed concerns and provisions pertaining to access to the proposed development. Commissioner Randolph

moved to forward Staff's recommendation of a conditional approval to the City Commission. The motion was seconded by Commissioner Frederick. Commissioner Myska voted 'Nay;' Commissioner Martinez voted 'Nay'; Commissioner Frederick voted 'Aye'; Commissioner Randolph voted 'Aye;' and Commissioner Kubelka voted 'Aye' and the motion passed.

Commissioner Kubelka introduced agenda item C5., Development related staff update. Mr. Abraham provided an overview of development projects discussed at pre-application conferences and projects that are under review since the last regular meeting.

The pre-application projects discussed included the following proposed projects:

- 311 S. 11th Street (GC/WFBMD) – Medical Office/Clinic,
- FM 359 & Del Agua Drive (ETJ/WFBMD) – K8 Charter School
- Hwy 90A (GC/WFBMD) – Office/Warehouse
- FM 762 & cemetery Rd (ETJ/WFBMD) – Multi-family Development

Projects under reviews discussed included the following proposed projects:

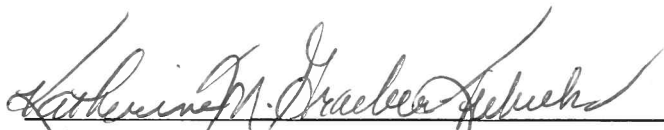
- 4300 FM 723 (ETJ – Briscoe Junior High School
- 4400 FM 723 (ETJ) – Foster High School
- 4720 FM 359 (ETJ) – Foster Creek Vet Clinic (Parking and Detention Pond)
- 5115 FM 359 (ETJ) – Move-It Richmond
- 21555 SW Fwy (ETJ/WFBMD) – Tesla
- 1500 Pultar Rd #300 (ETJ) – Fort Bend Women's Center
- 1515 Preston – Blaschke's #2

Commissioner Kubelka introduced agenda item C3., Excuse from attendance at regular Planning and Zoning Commission Meeting. No excuses were considered.

Commissioner Kubelka introduced agenda item C7., Consider agenda item requests by Commissioners for May 2, 2022, regular meeting. Commissioners requested an overview of the Development Agreement provisions pertaining to Agrihood master planned community. Commissioner Myska requested that traffic study for the Knile Center be discussed when available. There were no other items suggested.

Commissioner Kubelka introduced agenda item C10., Adjournment. There being no further business to be brought before the Planning and Zoning Commission, Commissioner Kubelka adjourned the meeting at 7:27 p.m.

Approved:



Katherine M. Graeber-Kubelka (Chair)