



STATE OF TEXAS
 COUNTY OF FORT BEND
 CITY OF RICHMOND

The City Commission for the City of Richmond, Texas met in Special Session on August 28, 2023, at 4:30 p.m. The meeting was broadcast via video conference call. All members of the public may participate in the meeting and via video conference call.

A quorum was present, with the following members in attendance:

- Becky Haas, Mayor-not in attendance
- Terry Gaul, Commissioner P1
- Barry Beard, Commissioner P2
- Carl Drozd, Commissioner P3
- Alex BeMent, Commissioner P4
- Terri Vela, City Manager
- Howard Christian, Assistant City Manager "ACM"
- Gary Smith, City Attorney
- Lasha Gillespie, City Secretary

Agenda item A1. Call to Order, Quorum Determined and Meeting Declared Open.

- Mayor Haas called the meeting to order at 4:31

Agenda item A2. Recite the Pledge of Allegiance to the U. S. Flag and the Texas Flag.

Agenda item A3. Public comments (Public comment is limited to a maximum of 3 minutes per item. No Deliberations with the Commission. Time may not be given to another speaker.)

- The public was given the opportunity to speak after Commissioner BeMent read the letters that had been submitted for public comment. There were additional letters included in the agenda packet.

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| James Nguyen | 19922 Roycroft Ln | Support-Development at Hwy 90 & Liberty |
| Loretta Rodriguez | Business Owner | Support-Development at Hwy 90 & Liberty |
| Bryan Valentine | 1414 Woodfair Dr | Support-Development at Hwy 90 & Liberty |
| Paul Spellman, PhD | 15 Fountain Bend Ln | Support-Development at Hwy 90 & Liberty |
| Kathleen McMahon | 3114 Persimmon | Support-Development at Hwy 90 & Liberty |
| Carrieta Gentry | 3262 Pesimmon Grv | Support-Development at Hwy 90 & Liberty |
| Mr. & Mrs. Lloyd Adams | 8122 Braesdale | Support-Development at Hwy 90 & Liberty |
| Sara Jackson | Pecan Grove | Opposition- Condition Use Permit |
| Noell Myska | 617 Ironwood Ct | Opposition- Condition Use Permit |
| Monique Lampkin | 2414 Estes Ct | Opposition- 359 Rio Vista |
| Ashlyn Verrett | Richmond | Opposition- Condition Use Permit |
| Madeline Calcote-Garcia | 1923 Mossy Point Ct | Oppositon-Development at Hwy 90 & Liberty |
| Clark East | 4510 Topaz Tr. | Developer |
| Jerry Tipps | 4625 Waycross Dr | Architect A5 and A6 |
| Sean Bielstein | 603 S 5th St | Support-Development at Hwy 90 & Liberty |
| Andrew Allemand | 1304 Langham Creek | Applicant/Presentation (A4 and A6) |
| Megan Crutcher | 29810 Egret View Ln | Engineer for Developer (A4 and A6) |
| Aimee Frederick | 611 Houston St | Oppositon-CUP |
| Emily Scherer | 2138 Pecan Trl | Oppositon-CUP and Tree Removal |
| Richard Callahan | 108 Main St | Oppositon-Development at Hwy 90 & Liberty |
| Joyce Trigger | 1718 Hearthside Ct | Oppositon-Development at Hwy 90 & Liberty |

Agenda item A4. Public hearing to receive comments for or against a request by Naomi Strauss, Core Land Surveying, to replat an approximate 2.3135 acres of land and right-of-way abandonment — SCI DGV Richmond Commercial — 1 Block – 0 Lot – 1 Reserve, being a replat of Lots 1-10, Block 85, City of Richmond, recorded under Volume 8, Page 2, Deed of Records of Fort Bend County and adjoining acreage as recorded by deed under County Clerk’s File No. 2018017279, all of lots 11-14 of said Block 85 as recorded by deed under County Clerk’s File No. 2020061769, all of Tract 3: 0.158 acres, part of Front Street and Houston Road as recorded by deed under County Clerk’s File No.2018017279, all of Tract 4: Block 84 (S PT) as recorded by deed under County Clerk’s File No.201817279, said 2.1448 acre tract lying in the W. Morton Survey, Abstract 63 and J.H. Long Survey, Abstract 55 as recorded in the Fort Bend County Deed Records. The proposed subdivision is located at 405-407 Richmond Parkway and 109 Liberty Street, on the east side of Richmond Parkway and south of Liberty Street/US 90A.

- None

Agenda item A5. Public hearing to receive comments for or against a request by Seth L. Samuelson, Odyssey Engineering Group on behalf of DGV Group 1 Richmond LLC, for a Conditional Use Permit to allow for a drive-through facility associate with a restaurant for property located at 405-407 Richmond Parkway and 109 Liberty Street/US 90A.

- None

Agenda item A6. Public hearing to receive comments for or against a request by Seth L. Samuelson, Odyssey Engineering Group on behalf of DGV Group 1 Richmond LLC, for a Tree Removal Permit to allow for a drive-through facility associate with a restaurant for property located at 405-407 Richmond Parkway and 109 Liberty Street/US 90A.

- None

Agenda item A7. Public hearing to receive comments for or against a request by Zainul Momin with Makmo Design LLC to annex the tract or parcel of land known as 924 FM 359, a parcel of land containing approximate 21.274-acre tract, in the William Morton League, Abstract No. 62, in Fort Bend County, Texas and being that certain tract of land (called “21.275 acres”) described in that certain instrument to Clark Family Properties, LP, recorded in under Clerk’s File No. 2005016526 in the Official Public Records of Fort Bend County, Texas.

- None

Agenda item A8. Public hearing to receive comments for or against a request by Zainul Momin with Makmo Design LLC to rezone an approximate 21.274-acre tract of land from General Residential (GR) to Mixed-Use (MU) 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 at 924 FM 359, east of the Rio Vista Drive and FM 359 intersection.

- None

Agenda item A9. Discuss and consider taking action on Ordinance No. 2023-19, vacating and abandoning a portion of First Street (Front Street) right-of-way adjacent to the east line of Block 85 of the City of Richmond, a plat recorded at Volume A, Page 62, of the Deed Records of Fort Bend County, Texas, and authorizing the Mayor to execute conveyance documents.

- The Planning and Zoning Commission recommended approval during their August 7, 2023, meeting, subject to the comments outlined in staff's report stating the property owner is required to pay to the City the fair market value of the property (Exhibit A). One (1) letter of opposition was received from Kristin and Jonathan Castillo, owners of the property located at 515 South Street.
- Discussion to clarify exhibits A and B.
- After discussion, Commissioner Gaul amended his original motion and moved to approve Ordinance No. 2023-19, vacating, and abandoning a portion of First Street (Front Street) with the amendment to the fair market value as determined by a qualified appraiser. Commissioner Beard seconded. Motion passes unanimously.

Agenda item A10. Review and consider taking action replat an approximate 2.3135 acres of land and right-of-way abandonment — SCI DGV Richmond Commercial — 1 Block – 0 Lot – 1 Reserve, being a replat of Lots 1-10, Block 85, City of Richmond, recorded under Volume 8, Page 2, Deed of Records of Fort Bend County and adjoining acreage as recorded by deed under County Clerk's File No. 2018017279, all of lots 11-14 of said Block 85 as recorded by deed under County Clerk's File No. 2020061769, all of Tract 3: 0.158 acres, part of Front Street and Houston Road as recorded by deed under County Clerk's File No. 2018017279, all of Tract 4: Block 84 (S PT) as recorded by deed under County Clerk's File No. 201817279, said 2.1448 acre tract lying in the W. Morton Survey, Abstract 63 and J.H. Long Survey, Abstract 55 as recorded in the Fort Bend County Deed Records. The proposed subdivision is located at 405-407 Richmond Parkway and 109 Liberty Street, on the east side of Richmond Parkway and south of Liberty Street/US 90A.

- Extensive discussion on exhibit B.
- To allow for the finalization of exhibit B's details, Commissioner Gaul moved to postpone this agenda item until the next meeting to be held on September 18th, 2023. Commissioner Beard seconded. Motion passes unanimously.

Agenda item A11. Review and consider taking action on a Tree Removal Permit request by Seth L. Samuelson, Odyssey Engineering Group on behalf of DGV Group 1 Richmond LLC, for a Tree Removal Permit to allow for a drive-through facility associate with a restaurant for property located at 405-407 Richmond Parkway and 109 Liberty Street/US 90A.

- Discussion on alternate compliance methods and clarification on trees to be removed.
- Commissioner Gaul moved to approve the Tree Removal Permit conditioned upon approval of the CUP and approval of parking modifications in accordance with staff recommendations to conserve heritage trees. Commissioner Beard seconded. Motion passes unanimously.

Agenda item A12. Review and consider taking action on Ordinance No. 2023-20, approving a Conditional Use Permit with conditions for a drive-through facility for a restaurant (coffee shop) at 405 Richmond Parkway.

- Extensive discussion regarding traffic concerns.
- Commissioner BeMent moved to approve Ordinance No. 2023-20 conditioned upon staff's recommendations, also conditioned upon review and acceptance by the City Commission of the Traffic Impact Analysis. Commissioner Gaul seconded. Motion passes 3-1. Individual votes as follows:

Commissioner Beard- Nay
Commissioner BeMent- Aye
Commissioner Gaul- Aye
Commissioner Drozd- Aye

Agenda item A13. Review and consider taking action on Resolution No. 451-2023, approving a Development Agreement for a mixed use development at 924 FM 359.

- Discussion on matters related to the Development Agreement for a mixed-use development.
- Commissioner Gaul moved to approve a resolution of the City Commission of the City of Richmond, Texas, approving a Development Agreement with 359 Innovations LLC; Authorizing the Mayor to execute the Development Agreement; and declaring an effective date subject to the conditions proposed by staff. Commissioner Beard seconded. Motion passes unanimously.

Agenda item A14. Review and consider taking action on Ordinance No. 2023-21, approving

the annexation of a 21.247-acre tract of land located at 924 FM 359.

- The subject site is proposed to be developed as a commercial use, a convenient store with a gas station and drive-thru carwash, retail space and apartments. Staff recommends approval of this proposed annexation.
- Commissioner Beard made a motion to Ordinance No. 2023-21, approving the annexation of a 21.247-acre tract of land located at 924 FM 359. Commissioner Drozd seconded. Motion passed unanimously.

Agenda item A15. Review and consider taking action on Ordinance No. 2023-22, rezoning a 21.247-acre tract of land located at 924 FM 359 from General Residential (GR) to Mixed Use (MU).

- Staff recommends conditional approval of this proposed rezoning of the subject site from General Residential (GR) to Mixed-Use (MU). Two (2) letters of opposition were received from Christopher Shields, owner of the property located at 1041 FM 359 and W.A. Gless, Jr., owner of the property located at 806 FM 359.
- Commissioner Beard moved to approve Ordinance No. 2023-22, an ordinance of the City of Richmond, Texas, changing the zoning classification of an approximately 21.274-acre tract of land, located at 924 FM 359, Richmond, Texas, from General Residential (GR) to Mixed Use (MU) to; describing said 21.274-acre tract of land; amending the zoning district map of the City of Richmond; providing for an amendment to the comprehensive plan; providing for repeal; providing for a penalty; providing for severability; and containing other provisions relating to the subject, contingent upon staff's conditions. Commissioner Gaul seconded. Motion passes 3-1. Individual votes as follows:

Commissioner Beard- Aye
Commissioner BeMent- Nay
Commissioner Gaul- Aye
Commissioner Drozd- Aye

Agenda item A16. Adjournment.

- With no other business to discuss, Mayor Haas adjourned the meeting at 7:48 p.m.

ATTEST: 

Lasha Gillespie, City Secretary

APPROVED:


Becky Haas, Mayor