



# **RICHMOND**

EST. **TEXAS** 1837

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## **Planning & Zoning Commission Meeting Minutes**

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

Tuesday, January 2, 2024, at 5:00 P.M.

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The Planning and Zoning Commission for the City of Richmond, Texas met in a regular meeting on Monday, January 2, 2024, at 5:12 p.m. A quorum was present, with the following members in attendance:

Katherine M. Graeber-Kubelka (Chair)  
Noell Myska  
David Randolph

Staff in attendance: Mason Garcia, Planning Director; Helen Landaverde-Ripple, Planner II; Matt Roberts, Planner I; Christine Cappel, Administrative Manager; Gary Smith, City Attorney; Howard Christian, Assistant City Manager and Rebecca K. Haas, Mayor.

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.

Commissioner Kubelka introduced agenda A3., Public comments, and asked if there were any public comments. Hearing no public comments, the agenda item was closed.

Commissioner Kubelka introduced agenda A4., Elect Chair and Vice Chair (only if we have a new P&Z Commission member on the board). This was postponed for the next commission meeting.

Commissioner Kubelka introduced agenda item B1., Review and approve minutes from the December 4, 2023, regular meeting. Commissioner Myska moved to approve the minutes. The motion was seconded by Commissioner Randolph. The vote for the motion was unanimous. Aye votes were cast by all commissioners.

Commissioner Kubelka introduced agenda item B2., stating that the next Planning and Zoning Commission meeting would be on Tuesday, February 5, 2024, at 5:00 p.m.

Commissioner Kubelka introduced agenda item C1., Review and recommendation of a final report to City Commission for a Preliminary Plat – Indigo Sec 2 – 51.50 acres of land – 12 Blocks – 253 Lots – 29 Reserves. The subject site is located at 1300 Harlem Road which is on the northeastern portion of John Sharp Drive and Harlem Road. Ms. Ripple explained that the subject site is being developed as part of a Master Planned Community called Indigo, which combines walkability, agriculture, and compact development. According

to her, a Development Agreement was approved in November 2021 that allowed for modifications to the development standards. Additionally, the preliminary plat includes cottages, townhomes, duplexes/duets, single-family detached homes, and apartments.. Commissioner Myska moved to approve Staff's recommendation of conditional approval to the City Commission. The motion was seconded by Commissioner Randolph. The vote for the motion was unanimous. Aye votes were cast by all commissioners.

Commissioner Kubelka introduced agenda item C2a, Public hearing to receive comments for or against text amendments to the Unified Development Code, to include certain changes to sign requirements and standards. The specific sections to be amended include Division 4.7.202, Message Centers, Division 4.7.300, Permanent Signs, Table 4.7.302, Nonresidential, Public/Institutional, and Mixed-use Use Sign and Use Types, Chapter 6, Administration, and Chapter 7, Measurements and Words. Hearing no public comments, the agenda item was closed.

Commissioner Kubelka introduced agenda item C2b, Consideration of the approval of a final report to City Commission on agenda item C2a., above. According to Mr. Garcia, the City of Richmond intends to revise the sign requirements and regulations of 2022 as part of the Strategic Plan developed by Lyle Sumek Associates, Inc. According to him, the current structure of the sign regulations within the Unified Development Code (UDC) is divided into five divisions, each providing a different perspective on how the code is administered, applied, and regulated. As part of the UDC's purpose of ensuring that applicable regulations comply with the purposes of Public Health and Safety, Quality of Life, Fiscal and Functional Health, staff is seeking feedback on certain amendments to the sign code. According to him, certain portions of the sign code will be revised based on the experiences with sign contractors and applicants.

#### SIGN ORDINANCE REVISIONS

The proposed amendment generally include:

- Additional wall sign square footage be permitted to buildings over 60,000 square feet. Only applicable in the General Commercial District. Only allowed on the street facing façade or front of the building.
- Buildings frontages within the OT, Olde Town and Downtown zoning district, facing Jackson Street will be permitted an aggregate allowance of 2 sf. Per linear ft. of facade width, or 60 sf., whichever is less.
- Increase the maximum percentage of sign area for an electronic message center to 33% of the overall monument, marquee or pylon sign. No increase in the maximum of 100 square feet of any electronic message center.
- Allowance of 15% coverage on entry doors of business. This will allow for the business to post hours of operation and be in compliance with the City sign requirements.
- Include language identifying each item to clearly indicate the applicable square footage for each freestanding sign.

Commissioner Myska moved to approve Staff recommends approval of this proposed UDC text amendment and requests to forward a positive recommendation of approval to the City Commission. The

motion was seconded by Commissioner Randolph. The vote for the motion was unanimous. Aye votes were cast by all commissioners.

Commissioner Kubelka introduced agenda item C3, Traffic Signal Box Art Wrap updates. A presentation was given by Mr. Garcia regarding the art wrap of traffic signal boxes located in the Historic Overlay District. The locations include:

- Highway 90A & 2nd Street West Bound
- Highway 90A & 2nd Street East Bound
- Highway 90A & 3rd Street
- Highway 90A & 5th Street

According to him, based on feedback from the October 17, 2023, meeting of the Richmond Historical Commission (RHC), staff has been asked to research possible artist renderings of the proposed historic structures. He explained that the transportation signal box art wraps were discussed at a Richmond Small Business Downtown meeting on December 6, 2023, where a local business owner, Carmen Flores from Catapult Art Gallery, expressed an interest in becoming a project consultant. Staff coordinated with Ms. Carmen Flores on the creation of an artwork proposal following the meeting. In addition to the invitational participation for selected artists, the proposal also includes the possibility of submitting art wraps to the Catapult Art Gallery for the City traffic signal boxes. To ensure high-quality designs, the artists will be chosen from the local areas, and reference pictures will be provided to the artists so they can create their own artistic interpretations of the designs. Additionally, he stated that this use of promotional art will include a document granting the City permission to use traffic box signal art wraps as well, and that the art will be completed and submitted on February 8th for staff review. Finally, he explained that after the review process has been completed, the proposed artwork will be forwarded to the RHC and other relevant commissions for review and approval. No action was needed.

Commissioner Kubelka introduced agenda item C4, Discuss a possible text amendment to prohibit Drive-in/Drive-through facilities in OT, Olde Town and DN, Downtown. Mr. Garcia explained that staff prepared a report at the request of the Planning and Zoning Commission that would propose an amendment to the Unified Development Code in order to reclassify drive-in and drive-through facilities in the Olde Town, OT and Downtown, DN districts (historic districts) as prohibited from conditional use as specified in the UDC. According to him, the Downtown district is intended to provide commercial and mixed-use development within the original central business district of the City and the development within the district is urban in nature i.e., buildings are constructed to the street and parking generally includes on-street parking; in public or private parking lots; or in parking structures. According to him, the proposed amendment would prohibit Drive-ins / Drive-through Facilities as a limited or conditional use in downtown and Olde Town. He continued to explain that pursuant to Section 6.3.406 B, petitions to amend the text of this UDC shall be submitted to the Code Official, and the City Commission and any other authority described in Article 6.2, Administrative Bodies, may initiate an amendment by a majority affirmative motion. He explained that the text amendments are processed according to the sequential steps set out in the Administrative Review and Referral, through Public Meetings and Hearings, and shall be decided by the City Commission after recommendation of the Planning and Zoning Commission, Public Hearing and Meeting Approvals. He continued to explain that following staff review and recommendations from the Planning and Zoning Commission, the City Secretary or City Attorney shall draft and submit an ordinance to the City Commission for consideration. There was further discussion regarding the criteria for making decisions regarding text amendments. No action was needed.

Commissioner Kubelka introduced agenda item C5, Staff update on a proposed annexation request of 2.477 acres. Mr. Garcia discussed the annexation of Highway 69/I-69 and an approximate 2.477-acre tract of land in the J Kuykendahl, Abstract No. 49, Fort Bend County, Texas. According to him, as part of the proposed annexation of the 21.6199 acres tract, the City is proposed to enter into a development agreement with the property owner, and 2.477 acres will be annexed immediately with the remainder being annexed sequentially. Further, he explained that the development agreement allows the applicant to continue using the land for agricultural purposes while also being able to develop in sequential pieces to reduce the annexation of the entire tract into the City before it is ready for development. This also increases the City's ETJ boundary. Additionally, the agreement will make the non-annexed area contiguous to the City limits, allowing areas adjacent to the development agreement site to be annexed into the City limits as well as the Williams Way Partnership has requested annexation of a parcel of land, located at 22011 Southwest Freeway that contains 2.477 acres land in the J Kuykendahl, Abstract No. 49 and this site will be contiguous to Highway 69/I-69 once the City completes the annexation request process with Texas Department of Transportation. In his presentation, Mr. Garcia explained that annexation of the Highway 69/I-69 right-of-way is of great importance to the City due to the continuity and safety of the freeway. According to him, the applicant intends to develop the property as a strip center with 11,850 square feet and a Starbucks store with 2,220 square feet. The annexation requirements were discussed in further detail. No action was needed.

Commissioner Kubelka introduced agenda item C6, Development related staff update.

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

- 1006 S 4<sup>th</sup> St - (OT District) – Single-family detached.
- 20400 Southwest Fwy Ste 130 - (GC District and WFBMD) - Grocery Store GP African Foods Fish & Meat Market
- 115 Douglas St - (GR District) - Life Sanctuary Church
- 603 Calhoun St - (OT District and WFBMD) - Event venue & photo studio
- 315 Austin St. - (OT District) - Restaurant or food truck
- 0 Hwy 90A Richmond Landing Reserve C - (GC and WFBMD) – Vehicle Sales

Projects under review discussed included the following proposed projects:

- 5121 FM 359 - (ETJ) - Grace Community Bible Church
- 1221 E Hwy 90 (GC & WFBMD) – Castell Auto Dealership
- 1421 Great Blue Heron Lane - (ETJ & Development Agreement) – Veranda Montessori School

Commissioner Randolph expressed his concerns about Gino's Restaurant application, and Mr. Garcia explained that the City hasn't received an application from them. Commissioner Myska expressed her concerns regarding traffic for the Veranda Montessori School.

Commissioner Kubelka introduced agenda item C7., Excuse from attendance at regular Planning and Zoning Commission Meeting. Commissioner Myska moved to excuse Commission Frederick and Commissioner Martinez. The motion was seconded by Commissioner Randolph. The vote for the motion was unanimous. Aye votes were cast by all commissioners.

Commissioner Kubelka introduced agenda item C8., Consider agenda item requests by Commissioners for February 5, 2024, regular meeting. Topics included:

- A Historic District walking quorum is set for February 17, 2024. As part of his inquiry, Mr. Garcia would like to know what issues and concerns the Commission needs to take into consideration during the meeting.
- Commissioner Randolph has requested information on the annexation of FM 359. He stated that there is a large area that is undeveloped and would like a general overview of the annexation requirements and requirements to provide services in the area.

Commissioner Kubelka introduced agenda item C8., Adjournment. There being no further business to be brought before the Planning and Zoning Commission, Commissioner Kubelka adjourned the meeting at 6:16 p.m.

Approved:



Katherine M. Graeber-Kubelka (Chair)