



**RICHMOND**

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

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

Tuesday, May 6, 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 Tuesday, May 6, at 5:00 p.m. A quorum was present, with the following members in attendance:

Katherine M. Graeber-Kubelka (Chair)  
Juan Martinez  
Kristin Schulze  
David Randolph  
Noell Myska

Staff in attendance: Mason Garcia, Planning Director; Helen Landaverde-Ripple, Planner II; Matt Roberts, Planner I; Brittany Mullins, Executive Secretary; Gary Smith, City Attorney; and Howard Christian, Assistant City Manager.

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 item B1., Review and approve minutes from the April 1, 2024, regular meeting. Commissioner Myska moved to approve the minutes. The motion was seconded by Commissioner Schulze. 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 Monday, June 3, 2024, at 5:00 p.m.

Commissioner Kubelka introduced agenda item C1a., Public hearing to receive comments for or against a request by Naveed Ahmed, NFAL Group, LLC, to replat (Ivy Harvest Green) an approximate 1.460 acre tract of land located in the William Morton One and Half League Grant, Abstract No. 62, Fort Bend County, Texas, being a partial replat of Unrestricted Reserve "A", Block 1, Crossbridge Church at Harvest Green, Plat No. 20210256 of the Map Records of Fort Bend County, Texas. The subject site is located north of Harvest Home Drive directly across James Bowie Middle School. Ms. Landaverde-Ripple gave a presentation regarding the Ivy Kids Harvest Green Replat. She explained that the proposed subdivision is

located directly across James Bowie Middle School from Harvest Home Drive and that a General Land Plan for the subject site was approved by the City Commission on February 15, 2016. She continued that an amendment to the Concept Plan for Harvest Green, extending from the eastern boundary to Grand Parkway, was approved on October 18, 2021, adding an additional 1,042.1 acres to the project. The property owner proposes to establish a daycare center at the site as a result of the proposed replat, resulting in an unrestricted reserve within a single block. In her explanation, the subject area has been designated as a Church tract but has not been developed as of yet. In addition, she explained that since there are no existing principal buildings or structures, such as a church, the proposed daycare cannot be constructed as a standalone structure; however, the Declarant for the Crossbridge Community Church Tract has no objection to the proposed replat permitting the construction of a daycare as a standalone structure. Based on the applicant's responses to the Modification of Approved Concept Plan, it appears that Crossbridge intends to construct a church on the remaining acreage; however, they have not provided any information regarding when they will begin construction of the church, but they do intend to use the remaining acreage for church purposes in the future. Staff recommends conditional approval of this replat. A general discussion was held with the Commissioner's concerning the reasons for the amendment.

Commissioner Kubelka introduced agenda item C1b., Consideration of the approval of a final report to City Commission on agenda item C1a. Commissioner Martinez moved to deny Staff's recommendation of conditional approval to the City Commission based on the replat needs to be in conformance with the Declaration of Covenants, Conditions, and Restrictions for Harvest Green Commercial Property (F.B.C.F.R. File No. 2015110940) or the Declaration of Covenants, Conditions, and Restrictions must be amended. The motion was seconded by Commissioner Schulze. Mr. Smith, the City Attorney, inquired whether the recommendation was based on the land use plan or on restrictive convenience. In his explanation, he stated that it is crucial that the conformance of the land use plan is considered. In addition, he explained that restrictive covenants cannot be enforced. Commissioner Schultz moved to deny Staff's recommendation of conditional approval to the City Commission based on the nonconformance of the land use plan as stated. The motion was seconded by Commissioner Martinez the proposed amendment. The following vote poll as follows:

Katherine M. Graeber-Kubelka (Chair) - Aye  
Juan Martinez - Aye  
Kristin Schulze - Aye  
David Randolph - Nay  
Noell Myska - Nay

Commissioner Kubelka introduced agenda item C2, Review and recommendation of a final report to City Commission for a Final Plat – Kingdom Heights Section Nine – 45.971 acres of land – 5 Block – 100 Lots – 7 Reserves. The subject site is a section within the Kingdom Heights Master Planned Community located along the east side of FM 723. Ms. Landaverde-Ripple gave a presentation concerning Kingdom Heights Section 9 - Final Plat. She explained that a General Plan for Kingdom Heights had been approved in 2016 and was later updated in 2019. She explained that the Conceptual Land Plan approved a total of 1310 lots and that the following sections have been recorded: Model Home Lots, Providence, Section One through Section Eight. Further, she explained that the total remaining lots for the overall Conceptual Land Plan will be 67 lots if the proposed final plat is approved, and that the proposed subdivision will create 100 lots, seven reserves in five blocks, with proposed 75' to 85' wide lots. Her explanation was that the subject site is intended for development as a residential subdivision which includes single-family detached, a park, lakes, drainage, and open space and that the applicant made the following adjustments.

- **Reserve A:** Reduce size from 3.72 acres (161,726 sf) to 3.711 acres (161, 668 sf). Reserve size reduced by 58 square feet.
- **Reserve B:** Reduce size from 9.98 acres (434,738 sf) to 9.979 acres (434,682 sf). Reserve size reduced by 56 square feet.
- **Reserve C:** Reduce size from 0.40 acres (17,418 sf) to 0.397 acres (17,284 sf). Reserve size reduced by 134 square feet.
- **Block 1, Lot 29 and Lot 34:** Reduce Lot 29 size from 7,280 sf to 7,279 sf. Lot 29 size reduced by one (1) square foot. Reduce Lot 34 size from 8,608 sf to 8,587 sf. Lot 34 size reduced by 21 square feet.
- **Block 2, Lot 1:** Reduce size from 11,872 sf to 11,860 sf. Lot size reduced by 12 square feet.
- **Block 5, Lot 15:** Increase lot size from 8,893 sf to 8,896 sf. Lot 15 size increased by three (3) square feet.
- **Knight Court right-of-way:** Reduce right-of-way from 144,289 sf to 144,286 sf. Reduce right-of-way by three (3) square feet.

Staff recommends conditional approval of the final plat. Commissioner Myska moved to approve Staff's recommendation of conditional approval to the City Commission. The motion was seconded by Commissioner Martinez. The vote for the motion was unanimous. Aye votes were cast by all commissioners.

Commissioner Kubelka introduced agenda item C3a, Public hearing to receive comments for or against a request by Seth-David Passovoy, Tejas Surveying, on behalf of Muhammad Parvez Hashmani, to replat (Lakes of Williams Ranch Partial Replat No. 10) an approximate 0.6815 acre tract of land being a replat of Lot 9A, Block 2 of Lakes of Williams Ranch Sec.1 Partial Replat No.5 as recorded under Plat No. 20210136 Fort Bend County, Texas, situated in the Joseph Kuykendahl League, Abstract No. 49, Fort Bend County, Texas. The subject site is located along the north right-of-way of Capeview Cove Lane. Ms. Landaverde-Ripple gave a presentation concerning the proposed replatting of the property for real estate sale purposes. Staff recommends approval of the final plat.

Commissioner Kubelka introduced agenda item C3b, Consideration of the approval of a final report to City Commission on agenda item C3a., Commissioner Myska moved to approve Staff's recommendation of conditional approval to the City Commission. The motion was seconded by Commissioner Martinez. The vote for the motion was unanimous. Aye votes were cast by all commissioners.

Commissioner Kubelka introduced agenda item C4, Review and recommendation of a final report to City Commission for a Preliminary Plat – Richmond Plaza – 21.274 acres of land – 1 Block – 0 Lots – 2 Reserves – 3 Detention Easements. The subject site is located at 924 FM 359 north of Shadow Grove Estates south of IL Texas. In her presentation regarding Richmond Plaza, Ms. Landaverde-Ripple explained how the property owner was interested in redeveloping it as a retail center with a gas station along FM 359 and multi-family apartments on the east side. As stated in the development agreement, the retail development must be constructed before the multifamily development. Additionally, she stated that the applicant is preparing documentation for the submission of a Tree Removal Permit. A general discussion was held by the Commissioners. Staff recommends approval of the final plat. Commissioner Schultz moved to approve Staff's recommendation of approval to the City Commission. The motion was seconded by Commissioner Randolph. The following vote poll as follows:

Katherine M. Graeber-Kubelka (Chair) - Aye  
Juan Martinez - Nay  
Kristin Schulze - Aye  
David Randolph - Aye  
Noell Myska - Aye

Commissioner Kubelka introduced agenda item C5, Development related staff update.

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

- 741 E Hwy 90 (GC District and WFBMD) - Restaurant (Taqueria Tepatitlan)
- 445 FM 359 (ETJ and WFBMD) - Strip Center
- Hwy 90 & Riveredge (GC and WFBMD) - Restaurant (Taco or Snow cone Stand)
- 2207 S Belmont (GR District) - Accessory Building Alterations / Business occupancy (code enforcement)
- US 59 & Andado Ln (ETJ and WFBMD) - Single Family & Duplex Rentals
- 301 S 9<sup>th</sup> St (OT District and WFBMD) - Medical Clinic
- 405 Travis St (OT District) - Manufactured Home Replacement
- 610 Lettie St (GR District) - Home Relocation
- 1001 S 7<sup>th</sup> St (OT District) - Single family and manufactured homes
- 5334 Avenue I (FM 2218) (GC and WFBMD) - Gas Station
- 818 Mabel St & 711 N 10<sup>th</sup> St (GR District) - Single Family House
- 515 Austin St (OT District) - Medical Office / Clinic

Projects under review discussed included the following proposed projects:

- 139 FM 359 (ETJ& WFBMD) - Biz Park Warehouse
- 303 Brazos Trail Dr (GR & WFBMD) - Wall Street Village Landscape Enhancements
- 22235 Southwest Frwy (GC and WFBMD) - Pit Stop Express C-Store w/Carwash
- 1006 FM 359 (SC and WFBMD) - Elite Business Center

Commissioner Kubelka introduced agenda item C6., Excuse from attendance at regular Planning and Zoning Commission Meeting. All Commissioners were in attendance.

Commissioner Kubelka introduced agenda item C7., Consider agenda item requests by Commissioners for May 6, 2024, regular meeting. Commissioner Myska expressed concern about the 2+-mile-long school pick up line for the new school on FM359 and requested that we make sure the developer is informed that the pickup line must be on school property rather than on FM 359. Commissioner Randolph expressed concern about apartments and whether they could be banned or restricted within the City limits and in the ETJ. No other topics were suggested.

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 6:07 p.m.

Approved:

  
Katherine M. Graeber-Kubelka (Chair)