



City of Richmond

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Zoning Board of Adjustment Meeting Minutes

600 Morton Street
City Commission Room
Richmond, Texas
Thursday, August 4, 2016 at 5:00 P.M.

ZONING BOARD OF ADJUSTMENT MINUTES

The Zoning Board of Adjustment for the City of Richmond, Texas met in a regular meeting on Thursday, August 4, 2016, at 5:00 p.m. Chairman Doggett called the meeting to order at 5:07 p.m. A quorum was present, with the following members in attendance:

Joe Benes
Stephen Doggett
J.J. Martinez

Chairman Doggett declared the meeting open.

Chairman Doggett introduced agenda item number A2., public comment. He asked if there were any public comments. Hearing no public comment the agenda item was closed.

Chairman Doggett introduced agenda item number B1a., public hearing to receive comments for or against a request by River Pointe Church located at 5000 Ransom Road being 92.887 acres out of the Joseph Kuykendall League, Abstract No. 49 Fort Bend County, Texas. The request is for variances to the parking, loading, access, lighting, landscaping, and sidewalk regulations from the Unified Development Code which include: 1) Section 4.2.102, *Location, Design, and Use of Required Parking*, Subsection B., *Location*, Table 4.2.102A, *Required Parking Setback*; 2) Section 4.2.102, *Location, Design, and Use of Required Parking*, Subsection E., *Dimensions of Standard Parking Spaces*, Table 4.2.102B, *Parking Module Dimensions*; 3) Section 4.2.102, *Loading Spaces and Design*, Subsection B., *Required Loading Spaces*, Table 4.2.104, *Required Loading Spaces*; 4) Section 4.2.301, *General Outdoor Lighting Requirements*, Subsection D., *Maximum Freestanding Fixture Height*; 5) Section 4.4.301, *Buffering*, Subsection C., *District Bufferyards*, Table 4.4.301B, *District Bufferyards*; 6) Section 4.4.401, *Development*

Landscaping, Subsection B., Parking Lot Landscaping, Table 4.4.401, Parking Lot Planting Requirements; 7) Section 4.4.401, Development Landscaping, Subsection C., Site Landscaping, 2.a.1., Nonresidential, Mixed-Use, Multi-Family, and Public Institutional Planting Requirements; 8) Section 4.4.401, Development Landscaping, Subsection C., Site Landscaping, 2.a.2., Nonresidential, Mixed-Use, Multi-Family, and Public Institutional Planting Requirements; 9) Section 4.4.401, Development Landscaping, Subsection C., Site Landscaping, 2.c., Nonresidential, Mixed-Use, Multi-Family, and Public Institutional Planting Requirements; and 10) Section 4.5.201, Sidewalks, Subsection B.3., Widths. Ms. Jessica Duet, City Planner, gave a brief presentation to the Board where she explained the six criteria needed to grant a variance. She explained to the Board the 10 variance requests, how they deviated from the Unified Development Code, and the Planning Department's recommendation to the ZBA. During the presentation, the Board had a question about Variance Request No. 6 and how future parking on the site would be required if the 75-degree angle is not applied throughout. It was explained to the Board that City staff did not have the opportunity to look at the whole site as a hardship for the 75-degree angle parking. The Pastor (applicant present) explained to the Board it was a hardship throughout the church's entire site. The architect present, Micah Simecek stated that an analysis of the entire site had not been conducted for the inclusion of a hardship. The Board also had a question about Variance Request No. 9. They questioned about the need for a request for a variance to the rear yard when the existing site is considered a through lot. Ms. Duet explained that future platting could result in the site having a rear yard or other parcels on site having rear yards and therefore this regulation becoming valid.

Chairman Doggett introduced agenda item number B1b., consideration and action on agenda item B1a. The Board decided the variances in the following order:

Variance Request No. 1, the Board concurred with staff to state Section 4.2.102, *Location, Design, and Use of Required Parking, Table 4.2.102A, Required Parking Setbacks*: is granted where the levee wall and CenterPoint easement are an impediment to the required parking setback of 15-feet for a minor arterial, otherwise it must be in conformance with the UDC.

Variance Request No. 2, the Board did not concur with staff but recommended Section 4.2.102, *Location, Design, and Use of Required Parking, Table 4.2.102B, Parking Module Dimensions*: is granted to allow the use of 75-degree angle parking with 55'-6" module width, 19'-6" aisle width, on property used for place of assembly purposes.

Variance Request No. 3, the Board concurred with staff to state Section 4.2.104, *Loading Spaces and Design, Table 4.2.104, Required Loading Spaces*: is granted on property used for place of assembly purposes.

Variance Request No. 4, the Board did not concur with staff but recommended Section 4.2.301, *General Outdoor Lighting Requirements, Subsection D., Maximum Freestanding Fixture Height*: is granted to allow freestanding light fixtures to a maximum 35-feet for the parking areas of the property for place of assembly purposes.

Variance Request No. 5, the Board concurred with staff to state, Section 4.4.301,

Buffering, Subsection C., District Bufferyards, Table 4.4.301B, District Bufferyards: is granted to allow variances to the planting height requirements conditioned that plantings comply with CenterPoint allowances where the Type C bufferyard is affected by the CenterPoint utility easements. Where not affected, the Type C bufferyard will conform to regulations set out in Section 4.4.301, *Buffering, Subsection C., District Bufferyards, Table 4.4.301B, District Bufferyards.*

Variance Request No. 6, the Board did not concur with staff but recommended Section 4.4.401, *Development Landscaping, Subsection B., Parking Lot Landscaping, Table 4.4.401, Parking Lot Planting Requirements:* is granted to allow variances to the parking lot planting requirements where 75 degree angle parking is used on the property for place of assembly purposes.

Variance Request No. 7, the Board concurred with staff to state, Section 4.4.401, *Development Landscaping, Subsection C., Site Landscaping, 2.a.1., Nonresidential, Mixed-Use, Multi-Family, and Public Institutional Planting Requirements:* is granted where such planting is prohibited by CenterPoint regulations, otherwise it must be in conformance with the UDC.

Variance Request No. 8, the Board concurred with staff to state, Section 4.4.401, *Development Landscaping, Subsection C., Site Landscaping, 2.a.2., Nonresidential, Mixed-Use, Multi-Family, and Public Institutional Planting Requirements:* is granted where affected by the CenterPoint utility easements conditioned that plantings in such area comply with CenterPoint allowances.

Variance Request No. 9, the Board did not concur with staff but recommended Section 4.4.401, *Development Landscaping, Subsection C., Site Landscaping, 2.c., Nonresidential, Mixed-Use, Multi-Family, and Public Institutional Planting Requirements:* is granted, so that rear yard plantings are not required so long as no rear yard is created. Upon creation of a rear yard, planting must comply with the UDC. This decision is made without prejudicing the right or ability of River Pointe Church or its successor in interest to seek variance from these requirements upon the creation of a rear yard.

Variance Request No. 10, the Board concurred with staff to state, Section 4.5.201, *Sidewalks, Subsection B.3., Widths:* is granted so that the construction of a sidewalk along the levee on Ransom Road is not required.

There being no further business to be brought before the Zoning Board of Adjustment, Chairman Doggett adjourned the Zoning Board of Adjustment meeting at 6:31 p.m.

Approved:



Stephen Doggett, Zoning Board of Adjustment Chair