

STATE OF TEXAS

COUNTY OF BRAZORIA

CITY OF LAKE JACKSON

BE IT KNOWN that the Planning Commission of the City of Lake Jackson met in Regular Session on Tuesday, May 4, 2021 at 6:30 p.m. in Lake Jackson, Texas with the following agenda:

John Fey
Harry Sargent
Matthew Bjune
Jeff Gilbert

Modesto Mundo, City Manager
Sal Aguirre, City Engineer
Athelstan Sanchez, Asst. City Engineer
Sabrina England, PW Director
Sally Villarreal, Asst. City Secretary

Vinay Singhania, Council Liaison

PLEDGE OF ALLEGIANCE

Harry Sargent led the pledge of allegiance.

APPROVAL OF MINUTES –April 6, 2021

April minutes were approved as presented.

VISITOR COMMENTS

There were no visitor comments.

DISCUSS AND CONSIDER FINAL REVIEW AND ACTION ON SITE AND LANDSCAPE PLAN AMENDMENT OF THE EXISTING PLANTATION VILLAGE PLAZA SHOPPING CENTER SITE PLAN AT THIS WAY & SH 332 FILED ON MAY 4, 2021

Engineer's Memo:

Eugene Werlin, the developer, has been pursuing La Madeleine to anchor his recently remodeled shopping center that has been thwarted by the pandemic that derailed the business expansion plans of many.

As explained by Mr. Werlin, and Corporate La Madeleine requires that a drive thru facility be incorporated as a necessary restaurant business model component. To accomplish this requirement, the site plan will need to be modified to retrofit this drive thru and which will need to remove a total of 9 parking spaces from the existing site plan count.

The amended site plan makes the required revisions which summarizes as follows:

- Existing Site Parking Spaces: 287
- Proposed Site Parking Spaces: 278
- Pre Werlin Site Parking Spaces: 246

Staff has no concern on the loss of parking spaces since predevelopment parking conditions had lesser spaces and the recent improvements only increased the count. The only concern left is the location of the proposed dumpster pad which would become a conflict with our pickup operations and the vehicular parking and drive thru traffic. A solution was arrived by all which resulted in the elimination of an adjacent parking stall.

This site amendment is being noted with an alternate plan to keep the current site conditions if the drive thru requirements are not warranted.

The landscape plan amendment has been provided to reflect the site modifications with a net increase in the area of about 900 sq. ft.

Gene Werlin was present for this item.

Mr. Werlin stated they had a lease signed with La Madeline for the eastern end cap of the pad building. With the pandemic, the dine-in restaurant industry has suffered, and La Madeline has attempted to terminate the lease. The only way La Madeline will consider opening the restaurant is if they are able to have a drive thru lane. There will be parking lost, but when the center was purchased in 2019, there were approximately 40 spaces less than what is there currently. This request is being made to allow less parking to accommodate a drive thru.

Mr. Gilbert asked where the proposed dumpster will be placed. Mr. Aguirre said the location will be in the area where the 9 spaces are being lost due to the drive thru.

Mr. Aguirre stated there would be a possibility of vacating the site plan if there was not a need for the drive thru.

Mr. Aguirre asked Mr. Werlin if they had any communication with DOW for a connection. Mr. Werlin said they were in discussion about it.

Mr. Bjune asked which direction the drive-thru would be facing. Mr. Werlin said it will be eastbound.

There was discussion about how the drive thru line could possibly impact other businesses. Mr. Werlin stated they would be watching so it does not affect his other tenants.

On motion by Mr. Sargent second by Mr. Bjune with all present members voting “aye” the final review and action on the site and landscape plan amendment of the existing Plantation Village Plaza Shopping Center site plan at This Way & SH 332 filed on May 4, 2021 was approved.

PRESENTATION FOR DISCUSSION AND FEEDBACK TO A PLAN TO REQUEST REZONING OF THE EXISTING VINEYARD CHURCH PROPERTY AT 120 SILVERBELL CIRCLE, 4.7 ACRES OF BLOCK 1 REPLAT OF BRIARWOOD SUBDIVISION SECTION FOR A POSSIBLE BUSINESS USE AS A COWORKING SHARED SPACE BEAUTY SALON CONCEPT

Engineer’s Memo:

This request is another attempt to acquire the Vineyard Church property, building and land for business purposes. The last one came in November of 2019 soliciting a business office use change.

This time, Skye Alvarez and partners is interested in this property to develop it for business use of the existing church building and parking areas for a coworking shared salon space concept dealing with the beauty care field and want your feedback for rezoning the property for this.

As a history refresher of this property, the following chronology tells of a varied use past. This property came in as part of the Briarwood Townhome Subdivision masterplan that was not carried through to development. In 1975, the property was given zoning variance by the Zoning Board of Adjustment as a T-1 with variance to develop a high-end Racquet Sport business with club house, squash and tennis courts, swimming pool and other exercise amenities.

After years of operation and closure the developed property came again in August of 2002 with a request of continuation of the T-1 nonconforming special use to a different special use as a wellness center / day spa business with accessory services of nail, hair, massage salons, along with possible additional recreational activities of racquet, volleyball, basketball courts, weight, exercise room, outdoor track, rock climbing, and kid center. This request was granted.

Soon after, in October 2002, it came back again by different party with a continuation of the previous nonconforming special use with additional service of after school day care and summer program martial arts and similar activities. This too was granted.

The most current morphing of this property came in January 2003 when a rezoning request from T-1 to B-3 for use as the Vineyard Church where it now stands.

Mr. Gilbert recused himself from this agenda item.

Ms. Alvarez went over the buildout and concept she had in mind. The building would consist of individual salons where each person could essentially run their own business out of a leased room. The buildout would be for fifty rooms to be used for hair, lashes, massages, etc. Ms. Alvarez mentioned the idea of putting an area with picnic tables and a playground in the back of the property.

Mr. Bjune asked Ms. Alvarez if she had any experience with buildouts. Mr. Smith stated they have spoken to contractors. They were basically present for feedback regarding the rezoning.

Mr. Aguirre went over the Engineer notes above and stated this is currently zoned as a B-3 (institutional church use) and would need to be rezoned as a B-1 (neighborhood business) which is a zone that a salon falls under.

Mr. Sargent asked if the parking was adequate for the square footage. Mr. Aguirre said it is for the square footage. Mr. Smith stated if they could get permission, the contractor would add concrete on the side of the building to provide additional parking for employees.

The question arose of the playground. Mr. Smith stated their intent is for the playground to be available to the public, not just their customers.

Fencing would be required around the property since it is surrounded by residential property.

Mr. Aguirre stated Ms. Alvarez and Mr. Smith are only asking for the possibility to pursue the rezoning request.

The public hearing requirement was discussed.

Mr. Sargent mentioned that signage would be required. Ms. Alvarez stated the building would have its own name and sign and individual signage would be inside only.

A public hearing was called for the June 1st meeting.

DISCUSS AND CONSIDER FINAL REVISED LANDSCAPE PLAN OF THE VILLAS AT LAKE JACKSON APARTMENTS NATURAL LANDSCAPE BUFFER RESTORATION AT 128 W PLANTATION DRIVE FILED ON MAY 4, 2021

Engineer's Memo:

As an update to this ongoing restoration plan, the developer has prepared a final one after all previous review comments from the residents and staff were addressed and incorporated. This has been passed to you for your final review and comments, if any, that would be turned back for final tweaks and signature at a future meeting.

Eddie Herrera's detail summary is attached.

Detail Summary for The Villas at Lake Jackson Apartments / Natural Landscape Buffer Restoration

After two rounds of resident's review and one from the Planners, the plan appears to have met the expectations of all concerned. The Developer and their Landscape Architect have provided a blend of trees that should be sustainable. The only outlying issues are a request for another palm tree in the rear of 627 Walnut and a request to leave the fence in the current alignment behind 623 Walnut.

The latest plan has changed from the original reforestation plan as follows:

- *Palm trees were added*
- *More monkey grass was added*
- *Planting tables were better identified*
- *Note regarding tree removal within 5-inches of the fence was removed*
- *2-inch temporary above ground irrigation is noted*
- *The signature block was updated*
- *Tree mitigation note no. 8 was added*
- *Landscape Buffer note no. 3 was added*

The planting list was bulked up and tree species were altered as follows:

- *6 - Pin Oaks were added to the planting list (to be confirmed, I could not find 2 of the 8 listed in the legend) they may be in there somewhere*
- *12 - Sabal palms were added to the planting list*
- *10 - Live Oaks were added to the planting list*
- *6 - Ash trees were added to the planting list*
- *1 - Wax Myrtle was removed from the planting list*
- *2 - Yaupon Hollies were removed from the planting list*
- *The 3 - Sycamores were removed from the planting list*
- *The Shumard Oak was removed from the planting list*
- *Several shrubs and grasses were added to the list*

If the Planning Commission and any residents present have no objections, staff suggests that the plan be approved for implementation with direction to the contractor regarding the fence alignment behind 623 Walnut.

Update on trees needing to be removed near the fence line:

Eddie has visited the tree removal / trimming issue along the wooden fence and found that there are only ten trees that need to be trimmed to keep them from growing into the fence. Of these, half are smaller limbs or saplings that can be trimmed at breast-height to allow the limbs to regrow over one season, and half consist of minor trimming of limbs less than 4-inches in diameter. There are two larger trees that will require removal as one is a hollow trunked Hackberry (14-inches) leaning into the residential property and one is an Ash tree (18) that is growing near horizontally through the fence today. Staff will work with the contractor during fence installation to ensure that the paint markings for the trimming are followed when the fence is installed.

Mr. Herrera went over the notes listed above and stated he along with the residents liked the mix of trees that have been planted.

Mr. Gilbert thanked Mr. Fisher for fixing the issues.

On motion by Mr. Gilbert second by Mr. Sargent with all present members voting “aye” the final revised landscape plan of The Villas at Lake Jackson Apartments natural landscape buffer restoration at 128 W. Plantation Drive filed on May 4, 2021 was approved.

DISCUSS AND CONSIDER FINAL REVIEW AND ACTION ON REVISED “AS BUILT” LANDSCAPE PLAN OF THE RESERVE AT LAKE JACKSON APARTMENT DEVELOPMENT AT 202 FM 2004 FILED ON MAY 4, 2021

Engineer’s Memo:

As an update to this ongoing project, the construction has moved to its final stage of certificate of occupancy, so the developer has prepared a final “as built” one to reflect the actual condition left after all construction activities and acts of nature have had during this process.

Eddie Herrera’s detail summary is attached.

Detail Summary for The Villas at Lake Jackson Apartments / Natural Landscape Buffer Restoration

A short summary of the changes to the originally approved plan:

- *The existing / remaining tree list was updated to reflect the conditions encountered after tree clearing. There were several trees mislabeled or mislocated on the tree survey. There was one large Oak that was proposed for protection near the rear buildings, but it could not be saved due to the angle of lean it had toward the building. They were able to save sixteen trees, which is one less than previously approved for a total of 491 caliper inches. There are actually a total of 533 caliper inches of trees that escaped removal, but the Landscape architect chose to exclude those that might not succeed in the new environment in his count.*
- *The tree species were changed to species available to the Landscaper due to shortages or the Landscaper’s opinion of an unsuitable environment for that species. Ten Pecan trees were removed from the list. Six American Elm, one Live Oak, nine Bald Cypress, six Red Oak, nine Eagleston Hollies, eighteen Southern Magnolia, and nineteen Crape Myrtles were added to the planting list.*
- *Otherwise, the planting list was updated to show the shrubbery placed throughout the complex.*

The Landscape still meets the landscape requirements set forth but remains an Alternate Landscape Plan due to the remaining second phase left for future development and approval. The need for another review and approval stems largely from the alterations to the original plan that created a new concept that strays far enough from the originally approved plan that staff cannot sign off without Planner’s consent.

Mr. Herrera went over his notes above and stated this landscape plan has changed significantly from what the commission had previously approved. There are more trees and plantings than before. All the requirements have been met with the alternate plan. This is an alternate plan because it is the first phase of the two-phase development.

Mr. Fey asked about the pecan trees being removed from the list. Mr. Herrera said the pecan trees were very hard to get. Some of the trees that were chosen to be placed into a small median had too big of a root system, so they were switched out for a tree that fit better in those areas.

Mr. Herrera said he likes what they have done. The plan looks very nice.

There was discussion about type of trees and the city’s approved tree list.

On motion by Mr. Sargent second by Mr. Gilbert with all present members voting “aye” the final review and action on revised “as built” landscape plan of The Reserve at Lake Jackson Apartment development at 202 FM 2004 filed on May 4, 2021 was approved.

SET NEXT MEETING DATE – June 1, 2021

ITEMS OF COMMUNITY INTEREST

Mr. Mundo thanked everyone for voting. The city had a successful Bond Election.

ADJOURN

There being no further business the meeting was adjourned at 7:32 p.m.

These minutes read and approved this _____ day of _____, 2021.

Locke Sanders, Chairman

John Fey, Secretary