

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 June 6, 2023, at 6:30 p.m. in Lake Jackson, Texas with the following agenda:

Locke Sanders, Chair
Jeff Gilbert, Secretary
Matthew Bjune
Kay Aplin
Harry Sargent

Modesto Mundo, City Manager
Riazul Mia, Asst. City Manager
Milford John-Williams, Asst. to the City Manager
Anamaria Acuña, Asst. City Secretary
Sal Aguirre, City Engineer
Eddie Herrera, Project Manager
Sabrina England, PW Director
David Walton, Building Official
Vinay Singhania, Council Liaison
Sherri Russell, City Attorney

ABSENT:

John Fey, Vice-Chair

PLEDGE OF ALLEGIANCE

Sheridan Bjune led the pledge of allegiance.

APPROVAL OF MINUTES – May 2, 2023

The minutes were approved as presented.

VISITOR COMMENTS

No comments.

DISCUSS AND TAKE ACTION ON FINAL REVIEW OF REPLAT OF LOTS 15, 16, 17 & 18, BLOCK 6, AREA “J” INTO LOT 15A AND LOT 18A, BLOCK 6, AREA “J” AT 110 AND 114 THAT WAY FILED ON JUNE 6, 2023

John Burnette – Porter, TX

Mr. Burnette (Property Owner) was present to answer any questions.

Mr. Aguirre read over the *Engineer’s memo*:

These four lots are located in the developed downtown and the properties have been under a single owner and the buildings built over lot lines as was the permitted practice during the early downtown development years. The owner now wishes to separate both buildings for individual sale and is requesting a replat of the lots to remove the existing lot line of encroachment that has existed since then.

This replat consists of removing interior lot lines from four (4) lots and setting a new partition line to create two separate lots and properties. The utilities servicing the properties were questionable as to their location and routing creating possible encroachments between themselves. It was left to the owner to provide utility easements to accommodate the encroachments or to provide a blanket utility and access easement dedicated by the owner encumbering both properties. This latter was the chosen route and noted in the plat.

Also, as recommended by the board at the previous review, the alley easement previously part of the lot has now been separated from it and dedicated as a public alley.

The filed plat requirements of content and format have been met and our consideration of filing is recommended for your final approval.

Mr. Aguirre noted that the plat is missing the correct signature block. If the planning commission approves the plat they will need to sign at a different time once the document is corrected.

On motion by Mr. Gilbert, seconded by Mr. Bjune with all present members voting “aye,” the final review of replat of Lots 15, 16, 17 & 18, Block 6, Area “J” into Lot 15A and Lot 18A, Block 6, Area “J” at 110 and 114 That Way filed on June 6, 2023, was approved.

DISCUSS AND TAKE ACTION ON FINAL REVIEW OF SITE PLAN AMENDMENT OF HEB STORE #707 AT 95 OYSTER CREEK DRIVE FILED ON JUNE 6, 2023

Adam Chesser – LJA Engineering, Inc. (representing HEB)

Mr. Chesser noted HEB will be replacing the islands with asphalt parking spots. Originally HEB created the islands to preserve the trees. Unfortunately, the trees in the island died and were removed. HEB is now wanting to add more parking where the islands used to be.

Mr. Aguirre read over the *Engineer’s memo*:

HEB corporate has been in long term planning of this site modification of the parking lot field to recover parking island that have lost their well-intended purpose as tree protection areas left as a goodwill gesture to the tree city community. The trees included in these islands in the original construction have by natural attrition been lost and removed leaving the islands bare.

Now HEB sees that as the opportunity to move in and recover these and return them to functional use as parking spaces as well as improving on the traffic flow that their customer community has been vocal concerning the current chicane circuit hard to maneuver.

In summation, the proposed site amendment is the reconfiguration of parking lot field to remove and resurface 15 islands resulting in the creation of 52 additional parking spaces to the current count. Accessory to this realignment is the removal of the island looping travel lanes and into straightened thru travel lanes for smoother and quicker traffic flow.

Remaining in this amendment are 4 islands that provide protection for trees still surviving of preservation value in keeping with their initial community interest. No site drainage or utilities has been impacted by the proposed plan.

The filed site plan amendment requirements of content and format have been met and our consideration of filing is recommended for your final approval.

Mr. Aguirre noted the now deceased trees were not part of the original count/requirements. HEB wanted to keep the trees in hopes of keeping a good standing with the community.

Mr. Chesser noted there will still be two curbs/islands with trees.

Mr. Gilbert said he felt it is a good idea to add extra parking as the trees are dead. Mr. Sargent mentioned he liked the curbs as he felt it slowed down traffic. Ms. Aplin also agreed that the change was a good idea. She also noted medians may cause trees to decrease.

Mr. Bjune was under the impression the deceased trees were counted when they expanded the curb side. Mr. Aguirre noted the protected trees are still there as it was a required condition under HEB's PUD.

Mr. Sargent motioned to approve the final review of the site plan amendment of HEB store # 707 at 95 Oyster Creek Drive filed on June 6, 2023, seconded by Ms. Aplin with all present members voting "aye," except Mr. Bjune who voted "nay," the motion carried.

DISCUSS AND TAKE ACTION ON FINAL REVIEW OF ALTERNATE LANDSCAPE PLAN AMENDMENT OF HEB STORE #707 AT 95 OYSTER CREEK DRIVE FILED ON JUNE 6, 2023

Mr. Aguirre noted that the landscape plan also must be updated to reflect the same situation of removing the islands.

Mr. Sargent asked if the islands were irrigated. Mr. Aguirre noted they were not.

Engineer's memo:

At the root (no pun intended) of the site parking lot field changes is the demise of the trees so nobly attempted to be retained within the protection islands. Although not included in the original landscaping plan in the tree count, this landscape plan amendment serves to update the plan to the current tree conditions for accountability. The plan overall maintains the preservation credit trees and counts as required by the development and keeps the alternate designation based on the allowed PUD conditions in the agreement.

The filed alternate landscape plan amendment requirements of content and format have been met and our consideration of filing is recommended for your final approval.

On motion by Mr. Sargent, seconded by Ms. Aplin with all present members voting "aye," the final review of the alternate landscape plan amendment of HEB store # 707 at 95 Oyster Creek Drive filed on June 6, 2023, was approved.

DISCUSS UPDATE OF CHAPTER 90 SUBDIVISIONS OF THE LAKE JACKSON CODE OF ORDINANCES WHICH INCLUDES ADOPTION OF A REVISED DEVELOPMENT MANUAL, AN INCREASE OF THE TIME SITE PLANS AND PLATS MUST BE SUBMITTED BEFORE BEING FILED WITH THE PLANNING COMMISSION, A TABLE OF FEES, AND A CHANGE TO THE CALCULATION OF THE MONEY THAT MAY BE SUBMITTED IN LIEU OF DEDICATED PARK LAND

Ms. Russell went over the proposed changes and distributed the planning commission clean copies of Chapter 90. She noted the engineering department wanted to address the procedural conflicts within Chapter 90 and the development manual.

Sec. 90-1 Definitions

Ms. Russell noted this ordinance will be much smaller as it will strictly address procedures. She shared there will be many words removed from the definitions, as they aren't used in the ordinance anymore.

Sec. 90-2 Purpose The verbiage was updated.

Section 90-5 was renamed from “**Policy**” to “**Enforcement.**” Ms. Russell noted that the 5-mile ETJ was also removed as it no longer exists.

Section 90-6 was updated so that the council will adopt the development manual.

Section 90-7 was a clean-up to notate the city will issue the permit.

Section 90-8 removed HLMP as it does not exist anymore. A large portion was also removed as it will be in the development manual and not part of the procedures.

Section 90-31 was redlined heavily because it is all in the manual.

Ms. Russell noted the deletions are because it is a state law or in the manual.

Section 90-32 will reference Chapter 46.

Section 90-33 through 90-35 now reflects state law.

Section 90-36 updated the fees.

Section 90-37 was removed as it was copied from the state law.

The Improvements section was removed and will be in the development manual. **Section 90-59** was modified to make it clear that they cannot start work until approval.

Ms. Russell notated they would need a discussion on Section 90-62. She asked the commission if there was a better way to determine cash for parks instead of building a park.

Mr. Bjune noted that the city is already limited in space. Mr. Aguirre agreed there are few opportunities left to make parks a requirement.

Ms. Russell noted that if the developer has an issue with the number staff comes up with then they can come forth to the planning commission. Ms. Russell shared they need a way to evaluate the worth of the land.

Mr. Sanders suggested adding “or equivalent subdivision” where residential lots were notated.

Mr. Gilbert and Mr. Bjune both agreed that Ms. Russell documented the best way to make this enforceable.

Ms. Russell mentioned that the trees and landscape was one huge ordinance and she divided them into smaller ones to make it easier to follow. Both the approved plants and tree lists were added to the development manual.

The last highlighted portion (**Section 90-74**) was added to ensure the preservation of any vegetation or trees.

Mr. Sargent asked if there were any required parking for Parks. Ms. Russell noted that it isn't in this ordinance, and it might be mentioned in the parking ordinance. Mr. Aguirre mentioned it is not but that may also be something to consider when they discuss amendments to the zoning parking ordinance.

Ms. Russell noted that she will make the suggested changes and asked how the planning commission felt about the changes.

The commission is in favor of the recommended changes Ms. Russell presented. Ms. Russell stated she will present this to the city council for approval.

Mr. Sanders thanked Ms. Russell for her presentation.

SIGNATURE OF DOCUMENTS

- Replat of Lots 15, 16, 17 & 18, Block 6, Area "J" Into Lots 15A and Lots 18A, Block 6, Area "J"
- Amended Site Plan of HEB Store # 707 at 95 Oyster Creek Drive
- Amended Alternate Landscape Plan of HEB Store #707 at 95 Oyster Creek Drive

ITEMS OF COMMUNITY INTEREST

- Ms. Aplin asked for an update on Downtown as she noticed lots of dirt.
 - Mr. Herrera noted both Downtown Taco's and Backyard are remodeling their ramps to follow ADA regulations. Downtown Taco will have a flattened area. The skinnier medians will have low grass. He also stated that he does not see downtown being completed by the end of the month due to the weather and waiting on the contractors.
- Ms. Aplin questioned what was being done with the grading on FM 2004.
 - Mr. Aguirre noted TxDOT is making improvements. They are resurfacing FM 2004 and improving the pedestrian crossing on Deerwood. The crossing will be connected to the school's sidewalk.
- Mr. Bjune asked what concrete work is being done at the mulch site.
 - Mr. Herrera said they are laying down a new street and creating a large turnaround to try and keep people off the wet mulch and should be completed by this Friday, June 9th.
- Mr. Bjune noticed the new generators are installed at the WWTP.
- Council Liaison noted that Cotton Tyler was appointed for the Planning Commission opening by council and will be present next month.
- Mr. Mundo advised the BWA's chlorine conversion starts today and will take approximately two weeks.
- Mr. Mundo introduced the new assistant city manager Riazul Mia.
- Mr. Herrera gave an update on the Lakewood Manor development.
- They had issues with their meter box placements and will need to modify their plans but managed to salvage three trees. They are continuing to work on the insides.
- Mr. Sanders thanked Miss Sheridan Bjune for leading the pledge of allegiance.

SET NEXT MEETING DATE

The next regular scheduled meeting is set for Wednesday, July 5, 2023.

Mr. Sargent noted he will not be present for the July meeting.

ADJOURN

There being no further business the meeting was adjourned at 7:17 p.m.

These minutes read and approved this 5th day of July 2023.

Chair

Secretary