

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 August 1, 2023, at 6:30 p.m. in Lake Jackson, Texas, with the following agenda:

Locke Sanders, Chair
Matthew Bjune, Secretary
Kay Aplin, Vice-Chair
Harry Sargent
Cotton Tyler

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

ABSENT:
Jeff Gilbert

PLEDGE OF ALLEGIANCE

Mr. Sargent led the pledge of allegiance.

APPROVAL OF MINUTES – July 5, 2023

The minutes were approved as presented.

VISITOR COMMENTS

No comments.

DISCUSS REQUEST ON AMENDING THE ZONING ORDINANCE B-2 (CENTRAL BUSINESS) TO ALLOW SPECIAL EVENT VENUES AS A PERMITTED OR CONDITIONAL USE

Mr. Mundo summarized a request made by Ms. Victoria. She went before the city council to consider amending the zoning ordinance to allow for event venues as permitted or conditional use in the downtown /central business (B-2) zone. The city council mentioned they are open to allowing the event center as permitted or possibly as a conditional use. Mr. Mundo advised the planning commission that they could decide either way.

Staff noticed that event venues are prohibited under any current zoning. Though the Civic Center may act as an event center, it is considered a government complex. Mr. Mundo shared that alone could be a discussion to decide whether event venues should be allowed in general or strictly conditionally.

Staff suggest allowing the venue to be under conditional use due to the limited parking in the downtown area. Council Liaison Singhanian noted council is open to both options but is leaning more towards conditional use.

Mr. Aguirre mentioned that the city council minutes discussing the venue were included in their packet to reference for their discussion. He advised the commission to review the material and prepare questions for their September public hearing.

Mr. Mundo advised the planning commission that the city council has already called for a public hearing, which will be held in September. If both the planning commission and the city council are agreeable, Ms. Victoria could proceed sometime in October.

ALTERNATE SITE PLAN ADMINISTRATIVE REVIEW AND ACTION OF A PROPOSED DEVELOPMENT OF A CONVENIENCE STORE AND GAS STATION AT 230 W SH 332 IN LOT 1, SHIVAM SUBDIVISION

James Kahlig – JK Gas Station Services

Mr. Kahlig noted at the last meeting that the commission's concerns were due to the questionable border of HWY 332 and how much TxDOT was planning on taking. Mr. Kahlig, their architect, and engineer have all reached out to TxDOT, but they cannot provide anything concrete. TxDOT has not decided exactly how much of an expansion they would take.

Mr. Kahlig assured the commission that even if TxDOT took some of the curb area, the amount of parking space they have would stay the same. The parking spaces would shift but not change.

Mr. Kahlig said they've also updated the landscaping plan to depict the tree count after removing the trees from the detention pond to meet TxDOT's requirements.

Mr. Aguirre reviewed the *Engineer's Memo* below:

The proposed development is located in the 5+ acre corner tract at the corner of SH 332 and FM 2004 at the previous MHMR site. The preliminary plan was brought to you for land use assessment and feedback for consideration as an alternate site plan due to parking space count shortage from the ordinance requirement. A recap of the items brought up for consideration and feedback were the following along with your decision:

- *6,000 sq. ft. building. Typical convenience store use. Non-issue*
- *18 regular car parking spaces (updated to 46 at meeting). Approved as adequate for location and use.*
- **4 semi-truck parking spaces (assumed). Non-issue*
- *There will be 6 - 24 fuel dispensers. Non-issue*
- **1 - 2 semi dispensers (assumed). Non-issue*
- *No car wash or any other element that would use a lot of water indicated. Non-issue*

The specifics of the revised proposed site for administrative review indicate the following:

- *6,000 sq. ft. building. Typical convenience store use. Non-issue from previous*
- *45 regular car parking spaces, 3 ADA, and 2 semi-tractor. Non-issue, i.e. exceeds approved*
- *2 semi-truck parking spaces (assumed). Non-issue, i.e. reduced from approved*
- *There will be 6 - 24 fuel dispensers with canopy. Non-issue from previous*
- *3 semi dispensers with canopy. Non-issue from previous*
- *No car wash. Non-issue i.e. Previous*

The proposed use is one allowed in the C-1 zone it sits on. Access and drainage is one primarily the city has a smaller control as it is bordered by TxDOT controlled facilities as to access drive location and to drainage flow into the highways system. Staff will still require the city standards on drainage, fire apparatus access are met.

The site drainage is being handled by an underground storm pipe and detention basin system designed to TxDOT standards and permitted by them. The developed site has been designed on a 3-ft – 4-ft elevated fill pad which will require removal of all trees within the fill zone. The following landscape plan review will detail the expected post development conditions relative to ordinance requirements.

The administrative review has been marked up for further processing to continue for final filing. Final approval will have to be conditioned on receiving TxDOT drainage permit and driveway approval. Staff recommends your consideration of administrative review approval.

Mr. Aguirre stated they are only pending TxDOT's approval of their drainage plan. Mr. Kahlig noted that they are in the process of completing this portion. Mr. Aguirre said TxDOT's requirements have strict regulations.

Mr. Sargent asked about the City of Lake Jackson's sewer lines. Mr. Aguirre clarified that none of the city's sewer lines are involved. Although there is an easement for a waterline, no sewer lines are affected.

Mr. Sargent asked if there could be a requirement to have the trucks enter via the HWY 332 entrance so that the semi-trucks coming down FM 2004 are made aware.

Donald Hodges – SSCI (Project Engineer)

Mr. Hodges mentioned they plan to place a sign at the entrance.

On motion by Mr. Tyler, seconded by Ms. Aplin with all present members voting "aye," the alternate site plan administrative review and action of a proposed development of a convenience store and gas station at 230 W SH 332 in Lot 1, Shivam Subdivision, was approved.

LANDSCAPE PLAN ADMINISTRATIVE REVIEW AND ACTION OF A PROPOSED DEVELOPMENT OF A CONVENIENCE STORE AND GAS STATION AT 230 W SH 332 IN LOT 1, SHIVAM SUBDIVISION

Mr. Hodges said the trees in the detention pond will be removed per TxDOT's request, and they have updated the tree counts.

Mr. Aguirre went over the *Engineer's Memo*:

Picking up from the previous site discussion, the developed site has been designed on a 3-ft – 4-ft elevated fill pad which will require removal of all trees within the fill zone. The prepared tree survey and landscape plan indicates the post development condition expected.

Of 250 trees in the count ranging from 6-inches to 94-inches as indicated, 21 fall in the 20-inches and larger category and 12 of these are to be removed by the work pad zone. Altogether, 177 of the trees will be removed by the pad and detainage pond. Of the 73 trees to remain, 36 trees will have to be designated as preservation trees to meet the ordinance requirement and 37 will be designated as reserve trees to be used as replacement trees after development and natural attrition of the preservation ones.

The plan calls for the required parking lot screening but lacks the tree screening requirement which is being flagged in our review comments. There is an automatic sprinkler system proposed for the new landscaping portion of the development according to our requirements.

The administrative review has been marked up for further processing to continue for final filing. Staff recommends your consideration of administrative review approval.

Mr. Sargent asked if the screening was due to the headlights or if it was cosmetic. Mr. Aguirre confirmed that the screening is a visual cosmetic of the parking spaces.

On motion by Mr. Sargent, seconded by Mr. Tyler with all present members voting “aye,” the landscape plan administrative review and action of a proposed development of a convenience store and gas station at 230 W SH 332 in Lot 1, Shivam Subdivision, was approved.

ADMINISTRATIVE AND FINAL FILING AND ACTION OF A REPLAT OF LAKE JACKSON TOWN CENTER REPLAT OF LOT J INTO LOTS J1 & J2 AND 60-FT STREET RIGHT-OF-WAY FILED ON AUGUST 1, 2023

Mr. Aguirre pulled the item from the agenda.

SIGNATURE OF DOCUMENTS

- None.

ITEMS OF COMMUNITY INTEREST

- Ms. Aplin had concerns about a downtown parking space near the sleep center being too close to the stop sign.
 - Mr. Herrera noted this is part of the downtown project and the area still needs to be striped.
- Mr. Bjune noted the inconsistencies versus what was approved for the Huisache development.
 - Mr. Aguirre noted that they will look into it.
- Mr. Walton went over business updates.
- Mr. Herrera mentioned a complaint from a resident that lives near The Villas. Mr. Walton gave them a deadline to complete their planting by October 31st.

SET NEXT MEETING DATE

The next regularly scheduled meeting is Wednesday, September 6, 2023.

ADJOURN

There being no further business, the meeting was adjourned at 7:09 p.m.

These minutes were read and approved on the 6th day of September 2023.

Locke Sanders, Chair

Matthew Bjune, Secretary