

PLANNING COMMISSION MEETING MINUTES

On this the 17th day of September 2014, the Planning Commission (Commission) of the City of Rosenberg, Fort Bend County, Texas, met in a regular session at the Rosenberg City Hall Council Chamber, 2110 4th Street, Rosenberg, Texas 77471.

COMMISSIONERS PRESENT

Pete Pavlovsky	Planning Commission Chairperson
Lester Phipps, Jr.	Planning Commission Vice Chairperson
Wayne Poldrack	Planning Commission Secretary
Alicia Casias	Planning Commissioner
Mike Parsons	Planning Commissioner
James Urbish	Planning Commissioner

STAFF PRESENT

Travis Tanner	Executive Director of Community Development
Randall Malik	Economic Development Director
Scott Tschirhart	City Attorney
Renée LeLaurin	Secretary II

GUESTS PRESENT

Steve Alvis	NewQuest Properties, Inc. (Brazos Town Center)
Dave Ramsey	NewQuest Properties, Inc. (Brazos Town Center)
Kerry R. Gilbert	BGE/Kerry R. Gilbert & Associates (Brazos Town Center)
Geoff Freeman	BGE/Kerry R. Gilbert & Associates (Brazos Town Center)
Carol Redd	Edminster Hinshaw Russ & Associates (Summer Lakes, Summer Park)

Chairperson Pavlovsky called the meeting to order at 4:03 p.m.

AGENDA

1. CONSIDERATION OF AND ACTION ON REGULAR PLANNING COMMISSION MEETING MINUTES FOR AUGUST 20, 2014.

Action Taken: Commissioner Casias moved, seconded by Commissioner Poldrack, to approve the regular Planning Commission Meeting Minutes for August 20, 2014, as written. The motion carried unanimously.

2. CONSIDERATION OF AND ACTION ON AMENDMENT NO. 4 TO THE TOWN CENTER, ROSENBERG, TEXAS DEVELOPMENT AGREEMENT, INCLUDING DEVELOPER'S CONCEPTUAL PLAN, REVISED EXHIBIT "B," BRAZOS TOWN CENTER, BEING 393.8 ACRES OF LAND OUT OF THE SIMON JONES SURVEY, A-187, ROBERT E. HANDY SURVEY, A-271, AND JANE LONG LEAGUE, A-55, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS.

Executive Summary: NewQuest Properties, the developer of Brazos Town Center, has requested a fourth amendment to their Development Agreement and Conceptual Plan. The proposed Amendment No. 4 and Revised Exhibit "B," Conceptual Plan, involves two (2) tracts. A vicinity map is attached for reference:

1. The 21-acre tract located on the north side of Town Center Boulevard, approximately 500' east of FM 2218 and currently designated for commercial development on the approved Land Plan; and,
2. The 20-acre tract located on the east side of Town Center Boulevard, approximately 700' north of Commercial Drive and currently designated for townhome development on the approved Land Plan.

The developer proposes to develop the 21-acre tract as fifty-five-foot (55') single-family residential lots. The "Subdivision" Ordinance currently requires sixty-foot (60') lots. To compensate for the reduction in lot size, the developer proposes the following standards be added to the Development Agreement:

- Residences on said single-family lots shall be a minimum of 2,000 square feet in size;
- Residences shall have three-sided masonry exterior;
- The tract shall have a maximum of 73 lots or 3.4 units per acre;

- The tract shall have a minimum of three (3) acres in landscape/open space reserves or .04 acres per lot; and,
- The minimum lot size shall be 7,000 square feet.

Additionally, the developer proposes to develop the 20-acre tract as twenty-four-foot (24') to twenty-eight-foot (28') townhome lots. The approved Conceptual Plan calls for the thirty-foot (30') townhome lots and the "Subdivision" Ordinance currently requires twenty-five-foot (25') lots for townhomes. To compensate for the reduction in lot size, the developer proposes the following standards be added to the Development Agreement:

- Residences on said townhome lots shall be a minimum of 1,700 square feet in size;
- Residences shall have three-sided masonry exterior with a landscape buffer between buildings;
- The tract shall have a maximum of 139 units or seven (7) units per acre;
- The tract shall have a minimum of 5.5 acres in landscape/open space reserves or .04 acres per unit;
- Minimum fifty-foot (50') street right-of-way width;
- Minimum twenty-seven-foot (27') pavement width measured from inside of curb to inside of curb;
- Minimum average lot size of 2,900 square feet;
- Minimum twenty-foot (20') front building lines on all lots; and,
- A two-car garage shall be required on each lot.

Staff is requesting that the Planning Commission make a recommendation to City Council on the revised Conceptual Plan and Development Agreement amendment/s. A recommendation of approval would be conditioned on the above bullet points / standards. With the standards proposed, staff believes the resulting product will be equal to or better than that of lots that comply with the "Subdivision" Ordinance, but that don't have similar standards. Therefore staff recommends that the Planning Commission recommend approval to City Council of Amendment No. 4 to the Town Center, Rosenberg, Texas Development Agreement and Developer's Conceptual Plan, Revised Exhibit "B," Brazos Town Center.

Key Discussion:

- Mr. Tanner presented the item, reviewed the Executive Summary and reviewed the Code requirements regarding Planned Unit Developments (PUDs). When a significant change is submitted to an existing development agreement, it is subject to a new review by City staff, this Commission, and City Council relative to the current ordinances in place. However, as a result of the PUD provisions, a developer may deviate from the Code if the submitted standards meet or exceed what is currently required and the Planning Commission and City Council both approve the changes. Mr. Tanner then reviewed the changes proposed for the alternate tract and showed a concept site plan to the Commission.
- Steve Alvis of NewQuest Properties, 8877 W Sam Houston Parkway, stepped forward to address the Commission. Mr. Alvis stated that what is being proposed is what we felt would be in the best long term interest of Brazos Town Center (BTC) itself. Extremely high density was anticipated and we have pretty much achieved this goal. This is a very nice townhome project. The original vested plan called for 30' x 100' lots, these lots are 28' x 110' but the major difference is that what was vested was 5-6 units per building. This proposed plan would include only 3 unit buildings. In his experience, corner unit townhomes tend to hold their value a bit better than interior units. It took some time, but a builder was located that would do it this way with 3 units and a landscape reserve between each one instead of having 5-7 units in a single building. That brings the lot count down from 150 lots to 139 lots. These townhomes will be in the price range of \$200-250K each so the total taxable value is about \$32M. The single family is an odd shaped tract and the canal in the rear backs up to the city of Richmond so that easterly property line is the City Limits. The builder is also DR Horton and the product will be in the \$375K range. The single family in BTC is high on the price range with three-sided masonry to go on the 55-foot lots. This section will have the same entrance as the current subdivision. Both projects will be part of the residential HOA and BTC has a detailed, recorded set of restrictions that is more thorough than most cities. These HOA restrictions are the same document used in The Woodlands, Sugar Land Town Center, and some others. We feel that these provisions will help this project withstand time and maintain its quality.
- Chairperson Pavlovsky inquired what the distance is between buildings.
- Mr. Alvis replied that it is about 10 feet.
- Commissioner Parsons inquired what the taxable value would be for the residential area.
- Mr. Alvis replied the estimate is \$22M and \$32M on the townhome tract for a total of about \$55M.
- Chairperson Pavlovsky stated that he likes the idea of splitting the units up and having fewer per building.
- Commissioner Casias stated that the 55-foot lot width addresses only the lot frontage but the overall lot size meets or exceeds the current standard, is that correct?
- Mr. Tanner replied that is correct. These are large lots for 55-foot lots and the odd shape of the tract probably influenced the layout of the lots and to allow for bit more common area.
- Commissioner Casias inquired if the builder for both the single family and townhomes will be DR Horton.
- Mr. Alvis replied that is correct.

- Commissioner Poldrack inquired if the townhome section would have the same landscaping as BTC.
- Mr. Alvis replied that he is not certain on that yet but that it would be heavily landscaped. The master association is over the residential association for BTC. The master association will enforce proper landscape and care.
- Commissioner Poldrack inquired if each townhome have its own insured or will they be linked between units?
- Mr. Alvis did not yet have an answer to that but the townhomes will be fee simple, not like condominiums. They can likely go either way but it will be up to DR Horton to set that up.
- Commissioner Parsons inquired if the associations have any restrictions upon occupancy. Are they all deemed single family? There is an issue in Rosenberg with what was once designated single family now serving multi-family. Are there any protections against this?
- Mr. Alvis replied that they could not legislate everyone not to rent their homes, but all of BTC is single family deed restricted.

Action Taken: Commissioner Parsons moved, seconded by Commissioner Poldrack, to make a recommendation of approval to City Council of Amendment No. 4 to the Town Center, Rosenberg, Texas Development Agreement, including Developer's Conceptual Plan, Revised Exhibit "B", Brazos Town Center, being 393.8 acres of land out of the Simon Jones Survey, A-187, Robert E. Handy Survey, A-271, and Jane Long League, A-55, City of Rosenberg, Fort Bend County, Texas. The motion carried unanimously.

3. CONSIDERATION OF AND ACTION ON AMENDMENT NO. 5 TO THE TOWN CENTER, ROSENBERG, TEXAS DEVELOPMENT AGREEMENT, INCLUDING DEVELOPER'S CONCEPTUAL PLAN, REVISED EXHIBIT "B," BRAZOS TOWN CENTER, BEING 393.8 ACRES OF LAND OUT OF THE SIMON JONES SURVEY, A-187, ROBERT E. HANDY SURVEY, A-271, AND JANE LONG LEAGUE, A-55, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS.

Executive Summary: NewQuest Properties, the developer of Brazos Town Center, has requested a fifth amendment to their Development Agreement and Conceptual Plan. The proposed Amendment No. 5 and Revised Exhibit "B," Conceptual Plan, involves one (1) tract. A vicinity map is attached for reference:

3. The vacant 10.8-acre tract located at the intersection of Town Center Boulevard and Vista Drive and currently designated for office development on the approved Land Plan

The developer proposes to develop the 10.8-acre tract as 234 apartment units. City ordinances contain a number of requirements with which the project would not comply, including the number of parking spaces, density (14 units per acre maximum), maximum of 200 units, and two (2) story maximum height. To compensate for not meeting these requirements, the developer proposes the following standards be added to the Development Agreement:

- Said multifamily development shall be at least seventy (70) percent masonry exterior;
- Said multifamily development shall be comprised of no more than two hundred thirty-four (234) units, at least seventy-five (75) percent of which have direct attached garages, and at least sixty (60) percent of which are one-bedroom;
- Maximum density of twenty-two (22) units per acre;
- Maximum overall height of three (3) stories, and maximum height of two (2) stories for buildings fronting on Town Center Boulevard and Vista Drive rights-of-way;
- Minimum parking ratios of 1.5 spaces per one-bedroom unit, two (2) spaces per two-bedroom unit, and 2.5 spaces per three-bedroom unit; and,
- Site to consist of a minimum of fifteen (15) percent landscaping, open space, and amenities (including amenity center, gym, and pool).

Staff is requesting that the Planning Commission make a recommendation to City Council on the revised Conceptual Plan and Development Agreement amendment/s, or table the item pending the provision of additional information and/or standards by the developer. A recommendation of approval would be conditioned on the above bullet points / standards. With the standards proposed, the resulting product would arguably be equal to or better than one that complies with City ordinances, but that doesn't have similar standards.

Key Discussion:

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Mr. Alvis stated that he was present at the Workshop where this ordinance was created and it will not allow for a Class A project to be built. BTC is now the 30th largest shopping center in the nation according to Google, but it is a large center that pulls from a trade area of 300K people. With these larger projects, we attempt to create "critical mass" with all components and all the components other than retail were put in place, not because they were the highest and best use profit-wise for the land, but because that would

help sustain this center over time. Retailers come and go. We have lost one tenant but did replace it with a much higher-end tenant, Homegoods. It is critical for us in this public-private partnership, that we put the density there that we envisioned. My commitment to the City was to achieve the highest value single-family development. We have done that. The last time we revised the conceptual plan, we had planned to add an office space. We have tried for seven or eight years to put an office project into BTC but it is not feasible. This is a ten-acre tract that needs to be Class A multi-family. If we build this project, it will be the nicest project in Rosenberg and it will be very similar to the project we are building next to the ballpark in Sugar Land. Rent is extremely high. We do not want to do anything in the rear of the project area that may hurt the project in the long term. In his experience, the more garages, the higher the rent, and the greater the number of one-bedroom units will draw the young professionals from college and that is the workforce we need in Rosenberg which is currently lacking. A young college graduate cannot buy a \$400K house but they are earning well. Of the proposed 234 units, 150 are one-bedroom and there are only 16 three-bedroom units. The other important component for the young professional is that we have a first class amenity center. This proposed center is 10K square feet of gym and amenity center. The site plan currently has 83.3% of direct attached garages, which is more than the prior two projects we have built. There will be 64% one-bedroom units. Normally, these multi-family projects are on 17-19 acres and mature at a value of about \$35M. This is on ten acres at a value of \$35M. Because of the nature of the tract, we feel it is the best use for this tract. The other projects he has built were constructed to extremely high standards. This is the kind of multi-family Rosenberg needs and he encourages the Commission to recommend approval to City Council.

- Commissioner Casias inquired about the definition of "Class A" project.
- Mr. Alvis replied that Class A comes into price and institutional grade in an economic unit that would be attractive. Class A does not include any HUD Section 8 or subsidized housing.
- Commissioner Casias inquired if the project would still be considered a Class A project if it were constructed to meet the City's current ordinances, such as bringing it down from three-stories to two-stories and reducing the number of units from 234 to 200.
- Mr. Alvis replied that it would not be economically feasible. But, the ordinance does allow the City to choose which horse to ride with. Is it preferable to allow a multi-family project to go in where there are no master associations or restrictions? In the future, the City would not have the authority to request improved landscaping or that the buildings be painted more often. The master association would manage that and keep the property maintained.
- Commissioner Casias inquired if the management company is working with the master association to keep the complexes looking nice. Of two complexes she can think of now, they have had frequent management changes.
- Mr. Alvis replied that the management companies are still bound by the association restrictions and the management companies maintain the properties to those standards.
- Commissioner Casias inquired when the project may break ground.
- Mr. Alvis replied that he anticipates the townhomes and single family will break ground this year and the multi-family would likely break ground sometime in February 2015.
- Commissioner Casias inquired about the major construction along I-69 and mentioned that easy access would not be available for a few years. That may have a detrimental impact in trying to fill these units.
- Mr. Alvis replied that he does not see that as an issue. Rosenberg needs this workforce now and the ability to house employees at a higher level; that is a natural progression for this project. We have met with TxDOT several times regarding the expansion and it will actually be even better for BTC. We are not concerned about access.
- Chairperson Pavlovsky inquired about the building heights.
- Mr. Tanner replied that the proposed units along Town Center and abutting the perimeter will be two-story. The interior buildings will be three-story.
- Commissioner Parsons inquired what the rental rates will be for the one, two, and three bedroom units.
- Mr. Alvis replied they would be between \$1.50/ft and \$1.70/ft, which is higher than the 1.34 average rent in there now. Market will dictate that but the amount of the money being spent on these apartments in order to get the proper investment return demand high rental rates. We believe that market is there.
- Commissioner Poldrack inquired what the planned square footage will be for each size unit.
- Mr. Alvis replied there will be eight three-bedroom units at 1,509/sf; eight three-bedrooms that are 1,544/sf; eighteen two-bedrooms that are 1,336/sf; eighteen two-bedrooms that are 1,320/sf; sixteen two-bedrooms that are 1,198/sf; sixteen two-bedrooms that are 1,121/sf; and 150 one-bedroom units will average about 850/sf, with the largest being 876/sf. We have always anticipated this project to have the highest density that the market would bear.

Action Taken: Commissioner Parsons moved, seconded by Commissioner Phipps, to recommend approval to City Council of Amendment No. 5 to the Town Center, Rosenberg, Texas Development Agreement, including

Developer's Conceptual Plan, Revised Exhibit "B," Brazos Town Center, being 393.8 acres of land out of the Simon Jones Survey, A-187, Robert E. Handy Survey, A-271, and Jane Long League, A-55, City of Rosenberg, Fort Bend County, Texas.

Additional Discussion:

- Commissioner Poldrack stated that he is certain that NewQuest will do a good job, but it pains him to approve more apartments when the percentage of the City's population in rental property is so high.
- Mr. Alvis replied that this project is a means to change that population. There are a tremendous number of starter homes and those homes often end up being rental properties. BTC does not have starter homes and this is very important to the viability of this project to have that kind of young, upwardly mobile professional. That new population will impact the types of retail and dining we can bring to BTC. We are in a tremendously good cycle right now and have held out from putting starter homes in BTC when it may have been economically feasible to do so but was not in the long term best interest of the project.
- Commissioner Parsons inquired if the apartments would be under the HOA.
- Mr. Alvis replied they are under the master association plan and would never be dropped to the secondary residential association.
- Commissioner Poldrack stated that this Commission has recently turned down a couple of apartment projects under the PUD standards and is concerned this may open the door to future apartment developments.
- Commissioner Parsons replied that this is a master planned community, the rental rate is much higher than the other two projects that were proposed, and they will be subject to an HOA who will enforce the one-family rule in the City. While he is not in favor of the proliferation of apartments, this project has a high enough rent and encourages shopping in the master development as well as provides a boost to the tax base.
- Commissioner Urbish inquired what the rental percentage in BTC currently is.
- Mr. Alvis replied that the project was built long ago and is no longer under his umbrella and there are two sections recently finished. Dolce Living behind Kroger was 324 units.
- Commissioner Urbish replied that he knows the City has a lot of rental and each \$100K house in these neighborhoods has the potential to become rental. What is being proposed here may be good for BTC but is it right for Rosenberg? Commissioner Parsons made a point about the proliferation of apartments in our City but he sees the value in this and I tend to agree. Will the buildings be sprinkled?
- Mr. Tanner replied that they will have to meet the building code.
- Mr. Alvis reminded the Commission that this tract was originally platted as multi-family and it remains multi-family. It was not until the last few land plan revisions that we attempted to put in office space but that market is not here today. This is the right thing to do for this project.
- Chairperson Pavlovsky called for the vote.

Action Taken: Upon voting, the motion carried by a vote of four (4) "ayes" to two (2) "noes". **Ayes:** *Chairperson Pavlovsky, Vice Chairperson Phipps, Commissioners Parsons and Urbish.* **Noes:** *Commissioners Casias and Poldrack*

4. CONSIDERATION OF AND ACTION ON A PRELIMINARY PLAT OF STONECREEK ESTATES SECTION ONE, BEING 70.8 ACRES OF LAND CONTAINING 184 LOTS (60' X 120') (65' X 125') (75' X 130' TYP.) AND SEVEN RESERVES IN NINE BLOCKS OUT OF THE WILEY MARTIN LEAGUE, A-56, FORT BEND COUNTY, TEXAS.

Executive Summary: The proposed Preliminary Plat of Stonecreek Estates Section One adjoins the Berdett Road right-of-way immediately south of Dry Creek. The subdivision is located in Fort Bend County Municipal Utility District No. 184, for which the Development and Utility Agreements were recently approved by City Council on August 26, 2014. The Planning Commission had recommended approval of the Development Agreement and Land Plan on August 20. The Plat is located in the Extraterritorial Jurisdiction (ETJ) with the exception of a portion of the City Limits abutting Dry Creek.

The Plat consists of 70.8 acres and 184 single-family residential lots. Additionally, the Plat contains 3.25 acres in landscape reserves and a 5.12-acre recreation center site that will receive credit toward meeting parkland dedication requirements. All proposed lots are a minimum of sixty feet (60') in width with some lots being substantially larger.

The proposed Preliminary Plat is in conformance with the approved Land Plan and with applicable City ordinances. Staff recommends approval of the Preliminary Plat of Stonecreek Estates Section One.

Key Discussion:

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Commissioner Poldrack inquired what is planned for the two tracts that say non-residential.

- Mr. Tanner replied that one tract is intended to be a school site and the other is smaller neighborhood businesses.

Action Taken: Commissioner Parsons moved, seconded by Commissioner Casias, to approve the Preliminary Plat of Stonecreek Estates Section One being 70.8 acres of land containing 184 lots (60' x 120') (65' x 125') (75' x 130' typ.) and seven reserves in nine blocks out of the Wiley Martin League, A-56, Fort Bend County, Texas. The motion carried unanimously.

5. CONSIDERATION OF AND ACTION ON A REQUEST BY KERRY R. GILBERT AND ASSOCIATES TO EXTEND APPROVAL BY 180 DAYS FOR THE PRELIMINARY PLAT OF IRBY COBB BOULEVARD STREET DEDICATION NO. TWO, A SUBDIVISION OF 3.451 ACRES CONTAINING 1,930 L.F. OF R.O.W. OUT OF THE EUGENE WHEAT SURVEY, A-396, AND THE WILEY MARTIN LEAGUE, A-56, FORT BEND COUNTY, TEXAS.

Executive Summary: The Planning Commission approved the Preliminary Plat of Irby Cobb Boulevard Street Dedication No. Two on February 26, 2014. Pursuant to the "Subdivision" Ordinance, the applicant has requested an extension of that approval by 180 days from the date of its expiration.

The Preliminary Plat of Walnut Creek Irby Cobb Boulevard Street Dedication No. 2 is a right-of-way dedication plat consisting of 3.4 acres. It is located in the Extraterritorial Jurisdiction (ETJ) and in Fort Bend County MUD No. 152. It adjoins future Walnut Creek Sections Seven and Eleven and will connect Irby Cobb Boulevard to its intersection with Benton Road.

The Preliminary Plat is consistent with the street layout per the approved Land Plan, will provide access further east into the development, and will facilitate an eventual second point of access into the development from Benton Road. The Preliminary Plat is not in conflict with the "Subdivision" Ordinance, the approved Land Plan, or with the Development Agreement for MUD No. 152.

Staff recommends extending the approval of the Preliminary Plat of Irby Cobb Boulevard Street Dedication No. Two by 180 days from the date of expiration, August 25, 2014. If approved, this extension of the Preliminary Plat approval would then expire on Friday, February 20, 2015.

Key Discussion:

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Chairperson Pavlovsky inquired if there is any specific reason it has not been built.
- Mr. Tanner replied that it took more time to submit the infrastructure plans than they anticipated. Those plans have now been submitted. The delay was most likely procedural.

Action Taken: Commissioner Casias moved, seconded by Commissioner Parsons, to approve the request by Kerry R. Gilbert and Associates to extend the approval of the Preliminary Plat of Irby Cobb Boulevard Street Dedication No. Two, a subdivision of 3.451 acres containing 1,930 L.F. of R.O.W. out of the Eugene Wheat Survey, A-396, and the Wiley Martin League, A-56, Fort Bend County, Texas.

Additional Discussion:

- Commissioner Parsons stated for the record that only one extension of 180 days would be allowed.

Action Taken: Upon voting, the motion carried unanimously.

6. CONSIDERATION OF AND ACTION ON A REQUEST BY KERRY R. GILBERT AND ASSOCIATES TO EXTEND APPROVAL BY 180 DAYS FOR THE PRELIMINARY PLAT OF WALNUT CREEK SECTION SEVEN, A SUBDIVISION OF 9.621 ACRES CONTAINING 3 BLOCKS, 31 LOTS, AND 1 RESTRICTED RESERVE OUT OF THE EUGENE WHEAT SURVEY, A-396, FORT BEND COUNTY, TEXAS.

Executive Summary: The Planning Commission approved the Preliminary Plat of Walnut Creek Section Seven on February 26, 2014. Pursuant to the "Subdivision" Ordinance, the applicant has requested an extension of that approval by 180 days from the date of its expiration.

The Preliminary Plat of Walnut Creek Section Seven consists of thirty-one (31) residential lots located off of Irby Cobb Boulevard in the north central part of the Walnut Creek Development. The Plat is located in the Extraterritorial Jurisdiction (ETJ) and in Fort Bend County MUD No. 152. It adjoins Walnut Creek Section Four to the immediate west.

The subdivision generally consists of sixty-foot (60') lots in accordance with the approved Land Plan for Walnut Creek. Four (4) of the lots are identified as being less than 60' lots due to being less than fifty feet (50') as measured at the right-

of-way. All lots are a minimum of 60' as measured at the front building line. Additionally, the subdivision contains a 1.36-acre landscape reserve abutting the future Irby Cobb right-of-way. The proposed Preliminary Plat is not in conflict with the "Subdivision" Ordinance, the approved Land Plan, or with the Development Agreement for MUD No. 152.

Staff recommends extending the approval of the Preliminary Plat of Walnut Creek Section Seven by 180 days from the date of expiration, August 25, 2014. If approved, this extension of the Preliminary Plat approval would then expire on Friday, February 20, 2015.

Key Discussion:

- Mr. Tanner presented the item and reviewed the Executive Summary:

Action Taken: Commissioner Parsons moved, seconded by Commissioner Urbish, to approve the request by Kerry R. Gilbert and Associates to extend approval by 180 days for the Preliminary Plat of Walnut Creek Section Seven, a subdivision of 9.621 acres containing 3 blocks, 31 lots, and 1 restricted reserve out of the Eugene Wheat Survey, A-396, Fort Bend County, Texas. The motion carried unanimously.

7. CONSIDERATION OF AND ACTION ON A REQUEST BY KERRY R. GILBERT AND ASSOCIATES TO EXTEND APPROVAL BY 180 DAYS FOR THE PRELIMINARY PLAT OF WALNUT CREEK SECTION ELEVEN, A SUBDIVISION OF 8.764 ACRES CONTAINING 27 LOTS, 2 BLOCKS AND 1 RESTRICTED RESERVE OUT OF THE EUGENE WHEAT SURVEY, A-396, AND THE WILEY MARTIN LEAGUE, A-56, FORT BEND COUNTY, TEXAS.

Executive Summary: The Planning Commission approved the Preliminary Plat of Walnut Creek Section Eleven on February 26, 2014. Pursuant to the "Subdivision" Ordinance, the applicant has requested an extension of that approval by 180 days from the date of its expiration.

The Preliminary Plat of Walnut Creek Section Eleven consists of twenty-seven (27) residential lots located off of Irby Cobb Boulevard in the north central part of the Walnut Creek Development. The Plat is located in the Extraterritorial Jurisdiction (ETJ) and in Fort Bend County MUD No. 152. It adjoins Walnut Creek Section Seven to the immediate west.

The subdivision generally consists of sixty-foot (60') lots in accordance with the approved Land Plan for Walnut Creek. Four (4) of the lots are identified as being less than 60' lots due to being less than fifty feet (50') as measured at the right-of-way. All lots are a minimum of 60' as measured at the front building line. Additionally, the subdivision contains a 1.88-acre landscape reserve abutting the future Irby Cobb right-of-way. The Preliminary Plat is not in conflict with the "Subdivision" Ordinance, the approved Land Plan, or with the Development Agreement for MUD No. 152.

Staff recommends extending the approval of the Preliminary Plat of Walnut Creek Section Eleven by 180 days from the date of expiration, August 25, 2014. If approved, this extension of the Preliminary Plat approval would then expire on Friday, February 20, 2015.

Key Discussion: Mr. Tanner presented the item and reviewed the Executive Summary.

Action Taken: Commissioner Urbish moved, seconded by Commissioner Casias, to approve the Preliminary Plat of Walnut Creek Section Eleven, a subdivision of 8.764 acres containing 27 lots, 2 blocks and 1 restricted reserve out of the Eugene Wheat Survey, A-396, and the Wiley Martin League, A-56, Fort Bend County, Texas. The motion carried unanimously.

8. HOLD PUBLIC HEARING FOR A SHORT FORM FINAL PLAT OF GOLDSHIRE CENTER REPLAT OF COMMERCIAL RESERVE "A-2", A SUBDIVISION OF 4.3943 ACRES OR 191,416 SQUARE FEET OF LAND BEING A REPLAT OF COMMERCIAL RESERVE "A-2" OF GOLDSHIRE CENTER REPLAT OF COMMERCIAL RESERVE "A", RECORDED UNDER FORT BEND COUNTY CLERK'S FILE NO. 20130048, IN THE JAMES LOWERY SURVEY, ABSTRACT NO. 275, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS; 1 BLOCK, 2 RESERVES.

Executive Summary: This Agenda item consists of the required public hearing on the proposed Goldshire Center Replat of Commercial Reserve "A-2." The Plat consists of 4.3943 acres and two (2) commercial reserves. It is a replat of the previous Goldshire Center Replat of Commercial Reserve "A," which was recorded in March 2013 after coming before the Planning Commission in December 2012 and City Council in February 2013.

The Plat simply proposes to further subdivide existing Reserve "A-2" into two (2) new reserves to accommodate a new site development adjacent to the recently constructed Stripes at Reading Road and FM 1640. There are no issues with the proposed subdivision that conflict with City ordinances. However, a public hearing is required for

replats per State law and City ordinance. Therefore staff recommends that the Planning Commission hold the required public hearing on the Short Form Final Plat of Goldshire Center Replat of Commercial Reserve "A-2" before taking action on the Plat in the subsequent Agenda item.

Chairperson Pavlovsky opened the public hearing at 5:00:14 p.m. After three calls for speakers, no one stepped forward. The public hearing was closed at 5:01:16 p.m.

9. CONSIDERATION OF AND ACTION ON A SHORT FORM FINAL PLAT OF GOLDSHIRE CENTER REPLAT OF COMMERCIAL RESERVE "A-2", A SUBDIVISION OF 4.3943 ACRES OR 191,416 SQUARE FEET OF LAND BEING A REPLAT OF COMMERCIAL RESERVE "A-2" OF GOLDSHIRE CENTER REPLAT OF COMMERCIAL RESERVE "A", RECORDED UNDER FORT BEND COUNTY CLERK'S FILE NO. 20130048, IN THE JAMES LOWERY SURVEY, ABSTRACT NO. 275, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS; 1 BLOCK, 2 RESERVES.

Executive Summary: As discussed in the previous Agenda item, the Short Form Final Plat of Goldshire Center Replat of Commercial Reserve "A-2" consists of 4.3943 acres and two (2) commercial reserves. It is a replat of the previous Goldshire Center Replat of Commercial Reserve "A." The Plat is located east of the intersection of Reading Road and FM 1640.

The Plat is adjacent to the recently constructed Stripes and simply proposes to further subdivide existing Reserve "A-2" into two (2) new reserves to accommodate new site development. The development will abut the Stripes site. One of the proposed reserves (Reserve "A-2") is 2.7186 acres while the second proposed reserve (Reserve "A-3") is 1.6757 acres. A portion of Reserve "A-2" falls within the West Fort Bend Management District, as indicated in the Plat. The reserves will have cross access and designated access to FM 1640 per previous easements dedicated in 2007 and in 2013 as noted on the Plat.

There are no issues with the proposed subdivision that conflict with City ordinances. Therefore staff recommends that the Planning Commission recommend approval to City Council of the Short Form Final Plat of Goldshire Center Replat of Commercial Reserve "A-2".

Key Discussion:

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Commissioner Parsons inquired who owns that tract; the grass is very tall.
- Mr. Tanner replied that is owned by RWR Ventures, the same original group who has owned it for some time.

Action Taken: Vice Chairperson Phipps moved, seconded by Commissioner Parsons, to approve the Short Form Final Plat of Goldshire Center Replat of Commercial Reserve "A-2", a subdivision of 4.3943 acres or 191,416 square feet of land being a replat of Commercial Reserve "A-2" of Goldshire Center Replat of Commercial Reserve "A", recorded under Fort Bend County Clerk's File No. 20130048, in the James Lowery Survey, Abstract No. 275, City of Rosenberg, Fort Bend County, Texas; 1 block, 2 reserves. The motion carried unanimously.

Additional Discussion:

- Commissioner Poldrack inquired what will be built there.
- Mr. Tanner replied that it will be a Bush's Chicken, a new franchise with restaurants in Waco, Killeen, and Temple, Texas.

10. CONSIDERATION OF AND ACTION ON A FINAL PLAT OF SUMMER LAKES SECTION EIGHT, BEING A SUBDIVISION OF 8.574 ACRES OUT OF THE W.M. LUSK SURVEY, A-276 AND THE JANE LONG LEAGUE, A-55, IN THE CITY OF ROSENBERG, IN FORT BEND COUNTY, TEXAS (FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 144); 36 LOTS, 2 BLOCKS, 1 RESERVE (0.5214 ACRE).

Executive Summary: The Final Plat of Summer Lakes Section Eight is located off of Lake Commons and Blue Lake Drives in the south central portion of the Summer Lakes development. The Plat consists of 8.574 acres, 36 residential lots, and one (1) reserve containing 0.5 acres.

All proposed lots are a minimum of sixty feet (60') in width as measured at the front building line. The Plat complies with the Development Agreement and approved Land Plan for Fort Bend County MUD No. 144. The Land Plan, which is attached for reference, identifies the area of the Plat as single-family residential development. The Development Agreement calls for a minimum lot width of fifty feet (50') and minimum size of 6,000 square feet. All proposed lots meet these requirements.

The Preliminary Plat of Summer Lakes Section Eight was approved by the Planning Commission on June 18, 2014. The Final Plat of Summer Lakes Section Eight is not in conflict with any applicable regulations, with the approved Preliminary Plat, or with the Development Agreement for Fort Bend County MUD No. 144. Staff recommends that the Planning Commission recommend approval to City Council of the Final Plat of Summer Lakes Section Eight.

Key Discussion:

- Mr. Tanner presented the item and reviewed the Executive Summary.

Action Taken: Commissioner Poldrack moved, seconded by Commissioner Parsons, to recommend approval to City Council for the Final Plat of Summer Lakes Section Eight, being a subdivision of 8.574 acres out of the W.M. Lusk Survey, A-276 and the Jane Long League, A-55, in the City of Rosenberg, in Fort Bend County, Texas (Fort Bend County Municipal Utility District No. 144); 36 lots, 2 blocks, 1 reserve (0.5214 acre). The motion carried unanimously.

11. CONSIDERATION OF AND ACTION ON A FINAL PLAT OF SUMMER PARK SECTION TWO, BEING A SUBDIVISION OF 16.498 ACRES OUT OF THE ROBERT E. HANDY SURVEY, A-187, IN THE CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS (FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 144): 64 LOTS, 3 BLOCKS, 3 RESERVES (0.6726 ACRE).

Executive Summary: The Final Plat of Summer Park Section Two is located off of Park Place Boulevard in the southwest portion of the Summer Park development. The Plat consists of 16.498 acres, 64 residential lots, and three (3) reserves containing 0.67 acres.

All proposed lots are a minimum of sixty feet (60') in width as measured at the front building line. The Plat complies with the Development Agreement and approved Land Plan for Fort Bend County MUD No. 144. The Land Plan, which is attached for reference, identifies the area of the plat as single-family residential development. The Development Agreement calls for a minimum lot width of fifty feet (50') and minimum size of 6,000 square feet. All proposed lots meet these requirements.

The Planning Commission approved the Preliminary Plat of this subdivision on June 18, 2014. The Final Plat is not in conflict with any applicable regulations, with the approved Preliminary Plat, or with the Development Agreement for Fort Bend County MUD No. 144. Staff recommends approval of the Final Plat of Summer Park Section Two.

Key Discussion:

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Commissioner Parsons inquired who the builder is for this section.
- Mr. Tanner replied that he does not recall but that construction is well under way in Section One.

Action Taken: Commissioner Parsons moved, seconded by Commissioner Poldrack, to recommend approval to City Council of the Final Plat of Summer Park Section Two, being a subdivision of 16.498 acres out of the Robert E. Handy Survey, A-187, in the City of Rosenberg, Fort Bend County, Texas (Fort Bend County Municipal Utility District No. 144): 64 lots, 3 blocks, 3 reserves (0.6726 acre). The motion carried unanimously.

12. CONSIDERATION OF AND ACTION ON THE STAFF REPORT OF CURRENT ACTIVITIES AND REQUESTS FOR FUTURE AGENDA ITEMS.

Executive Summary: The Staff Report of Current Activities consists of projects that staff is currently working on as well as other updates that are relevant to the Planning Commission. This item also allows the Planning Commission the opportunity to request that items be placed on future agendas.

Staff expects to follow up on the previous discussion of masonry standards in the near future. We expect that, as well as the "Parking" Ordinance amendments that were recently discussed, to be on a City Council Workshop Agenda in the fall.

Staff will provide an update on the Comprehensive Planning process, and the Commission's role in it, at the meeting.

Key Discussion:

- Mr. Tanner presented the item and stated that the Comprehensive Plan has kicked off and is in the process of collecting data to start the project. The consultant will be coming soon and we have determined that the Planning Commission will essentially be the steering committee for this process. Staff

anticipates to have the regular Planning Commission meeting and then follow it with this committee for the most efficient use of staff time. This committee will also include an RDC Board member, and Jimmie J. Peña was selected to serve in that spot. There will only be four meetings of this group as advisory meetings. The initial community workshop is like a town hall meeting where the consultant will provide an overview of the project to the public and have breakout sessions on October 9th at 7:00 p.m. at the Civic Center.

- Commissioner Casias inquired if having the later meeting would be violating the policy of not having meetings on Wednesdays.
- Mr. Tanner replied that if we do it early enough, it should not be a problem. We may need to bump up the Commission meeting. These meetings will likely not run too late.
- Commissioner Poldrack stated that he had read about a few public meetings with HOAs.
- Mr. Tanner replied that is correct – those meetings will be listening sessions. The goal is to have a broad range of input.
- Commissioner Poldrack inquired if staff is holding off on bringing the masonry requirements.
- Mr. Tanner replied that he had intended to bring it on this Agenda however the BTC items were late additions that took more time than anticipated.
- Commissioner Poldrack polled the Commission to gauge interest in pursuing additional street width regulations.
- Commissioner Parsons replied that he thinks that the problem is to determine what the width should be. He is in favor of wider streets.
- Commissioner Poldrack stated that he finds 30-feet, inside curb to inside curb, to be the right width.
- Mr. Tanner replied that item was previously brought to a City Council Workshop and they did not have an interest in pursuing it.
- Commissioner Parsons replied that some members of Council have changed and in order to make these suggestions a reality, it is necessary to keep bringing them to Council.
- Chairperson Pavlovsky replied that he also agrees and it needs to added to a future agenda so it may be discussed.
- Commissioner Parsons stated that the same has occurred for the suggestion of impact fees for roads and thoroughfares. He requested to add this discussion item to the next agenda.
- Mr. Tanner stated that discussion items are being requested for masonry standards (75% total construction), street widths, and impact fees for roads and thoroughfares.

No action taken.

13. ANNOUNCEMENTS.

Mr. Tanner announced that with the next meeting agenda, staff will be going back to an older format which separates the agenda items into groups a bit better. As development slowed, this detailed agenda was let go in favor of the simplified version we use today. It should be a bit easier on staff and for the Commission.

14. ADJOURNMENT.

There being no further business, Chairperson Pavlovsky adjourned the Rosenberg Planning Commission at 5:22 p.m.


Renée LeLaurin
Secretary II