

## PLANNING COMMISSION MEETING MINUTES

On this the 19<sup>th</sup> day of November 2014, the Planning Commission (Commission) of the City of Rosenberg, Fort Bend County, Texas, met in a regular meeting at the Rosenberg City Hall Council Chamber, 2110 4<sup>th</sup> Street, Rosenberg, Texas 77471.

### COMMISSIONERS PRESENT

Wayne Poldrack	Planning Commission Secretary
Alicia Casias	Planning Commissioner
Mike Parsons	Planning Commissioner
James Urbish	Planning Commissioner

### COMMISSIONERS ABSENT

Pete Pavlovsky	Planning Commission Chairperson
Lester Phipps, Jr.	Planning Commission Vice Chairperson

### STAFF PRESENT

Cynthia McConathy	Councilor, At Large Position Two
Travis Tanner	Executive Director of Community Development
Charles Kalkomey	City Engineer
Renée LeLaurin	Secretary II
Janet Eder	Secretary II

### OTHERS PRESENT

Geoff Freeman	BGE/Kerry R. Gilbert & Associates (Brazos Town Center)
Tracy Youngblood	BGE/Kerry R. Gilbert & Associates (Cottonwood Three-C)
José Perez	BGE/Kerry R. Gilbert & Associates (Cottonwood Three-C)
Carol Redd	EHRA, Inc. (Rivers Mist Section Two; Summer Lakes Section Seven)

**CALL TO ORDER:** Commissioner Poldrack called the meeting to order at 4:02 p.m.

## AGENDA

### 1. CONSIDERATION OF AND ACTION ON MINUTES OF THE REGULAR PLANNING COMMISSION MEETING OF OCTOBER 15, 2014.

**Action Taken:** Commissioner Parsons moved, seconded by Commissioner Urbish, to approve the minutes of the Regular Planning Commission Meeting of October 15, 2014, as written. The motion carried unanimously by those present.

### 2. CONSIDERATION OF AND ACTION ON A PRELIMINARY PLAT OF COTTONWOOD SECTION THREE-C, A SUBDIVISION OF 8.368 ACRES OF LAND LOCATED IN THE S.A. STONE SURVEY NO. 10, A-392, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS; 41 LOTS, 1 RESERVE, 3 BLOCKS.

**Executive Summary:** The Preliminary Plat of Cottonwood Section Three-C consists of 8.368 acres and 41 residential lots. It is located off of Barton Creek and Pease River Lanes, immediately southwest of Cottonwood Section Three-B. The Plat is within the City Limits and located in Fort Bend County MUD No. 148.

All proposed lots are fifty feet (50') in width and a minimum of 6,000 square feet in size. The Land Plan was approved before the current standards relating to lot size. The Plat conforms to the approved Land Plan dated April 2003.

There being no conflicts with applicable regulations, staff recommends approval of the Preliminary Plat of Cottonwood Section Three-C.

#### **Key Discussion:**

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Commissioner Parsons inquired how many more lots are left to be platted in Cottonwood.

- Mr. Tanner replied that he does not have that information at this time but can bring it back for the next meeting.
- Commissioner Parsons stated that when plats are brought forward with undersize lot sizes, it would be helpful to know how many of those undersize lots are left to develop.
- Mr. Tanner replied that staff can provide that information. The last time Section Three-B was discussed, we had a decent estimate of the lots left to develop.
- Commissioner Parsons replied that he would request to see that information for all future plats coming forward that have lots widths less than the current requirement.

**Action Taken:** Commissioner Parsons moved, seconded by Commissioner Casias, to approve the Preliminary Plat of Cottonwood Section Three-C, a subdivision of 8.368 acres of land located in the S.A. Stone Survey No. 10, A-392, City of Rosenberg, Fort Bend County, Texas; 41 lots, 1 reserve, 3 blocks.

**Additional Discussion:**

- Brief discussion was held regarding street width measurement, drive-over curbs, and the City's design standards.

**Action Taken:** Upon voting, the motion carried unanimously by those present.

**3. CONSIDERATION OF AND ACTION ON A PRELIMINARY PLAT OF THE RESERVE AT BRAZOS TOWN CENTER SECTION FOUR, BEING 27.6 ACRES OF LAND CONTAINING 104 LOTS (50' X 130' TYP.) AND FOUR RESERVES IN TWO BLOCKS OUT OF THE JANE H. LONG LEAGUE SURVEY, A-55, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS.**

**Executive Summary:** The Preliminary Plat of The Reserve at Brazos Town Center Section Four is located off of Town Center Boulevard, north of its intersection with Vista Drive. It is located within the City Limits; in Fort Bend County MUD No. 167; and immediately west of The Reserve at Brazos Town Center Section Three, which has been recorded. The Plat consists of approximately 27.6 acres, with 104 single-family residential lots and four (4) reserves.

The typical lot size for the subdivision is 50 feet in width. This is per the approved Land Plan, which was most recently amended on September 30, 2014 (see attached). Per the amended Development Agreement, homes in the subdivision will be a minimum of 51 percent masonry construction.

The proposed Preliminary Plat is not in conflict with any applicable regulations or with the approved Land Plan for Brazos Town Center. That being said, staff recommends approval of the Preliminary Plat of The Reserve at Brazos Town Center Section Four.

**Key Discussion:**

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Commissioner Parsons inquired if this is the Section where we previously discussed the value of the housing product?
- Commissioner Poldrack replied that the developer indicated they would be a higher end product and would have to be a specific square footage.
- Mr. Tanner replied there is a restriction on the minimum square footage. There was some discussion regarding the price point when this Agreement was modified a few months back but that is not something that may be considered for plat approval.
- Commissioner Parsons replied that he would like to confirm the higher end product is still the development plan for this area as that would provide some reassurance of quality for the City.

**Action Taken:** Commissioner Parsons moved, seconded by Commissioner Urbish, to approve the Preliminary Plat of The Reserve at Brazos Town Center Section Four, being 27.6 acres of land containing 104 lots (50' x 130' typ.) and four reserves in two blocks out of the Jane H. Long League Survey, A-55, City of Rosenberg, Fort Bend County, Texas.

**Additional Discussion:**

- Commissioner Poldrack inquired if the entrance to the Reserve at Town Center to the very back of the development exceeds the block length requirement.
- Mr. Tanner replied that this plat meets all the requirements for access.
- Commissioner Parsons stated there are still some sections that are not yet developed. For the areas that are not commercial reserves, what is planned?

- Mr. Tanner replied the section immediately south of this one will be the townhomes, recently approved with the Development Agreement amendment. To the northwest along Town Center Boulevard is a 20 acre tract that will be 55-foot lots.
- Commissioner Parsons requested to review a map of the overall development and asked Mr. Tanner to review those areas so the Commission has an idea what is left to develop.
- Mr. Tanner reviewed the map and pointed out areas already approved and platted and areas that have been designated for specific use in the Development Agreement but not yet platted.

**Action Taken:** Upon voting, the motion carried unanimously by those present.

**4. CONSIDERATION OF AND ACTION ON A FINAL PLAT OF RIVERS MIST SECTION TWO, BEING A SUBDIVISION OF 15.597 ACRES OUT OF THE WM. LUSK SURVEY, A-276, IN FORT BEND COUNTY, TEXAS (FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 158); 46 LOTS, 2 BLOCKS, 3 RESERVES (4.2658 ACRES).**

**Executive Summary:** The Final Plat of Rivers Mist Section Two is located off of Furlson Drive, southwest of the intersection of Reading Road and Sorens Mist Boulevard. The proposed Plat is in the Extraterritorial Jurisdiction (ETJ) and in Fort Bend County MUD No. 158.

The proposed Plat consists of 15.597 acres, 46 lots, two (2) blocks, and three (3) reserves with a total of 4.2658 acres. All proposed lots are a minimum of sixty feet (60') in width. This is in accordance with the approved Land Plan for Rivers Mist dated May 2006. The Preliminary Plat of this subdivision was approved by the Planning Commission on August 20, 2014.

The proposed Final Plat meets all applicable regulations of the City of Rosenberg and is not in conflict with the Land Plan for Rivers Mist or with the approved Preliminary Plat. That said, staff recommends that the Planning Commission recommend approval to City Council of the Final Plat of Rivers Mist Section Two.

**Key Discussion:**

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

**Action Taken:** Commissioner Urbish moved, seconded by Commission Casias, to recommend approval to City Council of the Final Plat of Rivers Mist Section Two, being a subdivision of 15.597 acres out of the Wm. Lusk Survey, A-276, in Fort Bend County, Texas (Fort Bend County Municipal Utility District No. 158); 46 lots, 2 blocks, 3 reserves (4.2658 acres). The motion carried unanimously by those present.

**5. CONSIDERATION OF AND ACTION ON A FINAL PLAT OF SUMMER LAKES SECTION SEVEN, BEING A SUBDIVISION OF 23.92 ACRES OUT OF THE W.M. LUSK SURVEY, A-276, IN THE CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS (FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 144); 53 LOTS, 5 BLOCKS, 8 RESERVES (7.4454 ACRES).**

**Executive Summary:** The Final Plat of Summer Lakes Section Seven is located off of Reading Road and Round Lake Drive in the eastern portion of the Summer Lakes development. The Plat consists of 23.92 acres, 53 residential lots, and eight (8) reserves with a total of 7.4454 acres.

The proposed Plat contains 21 sixty-foot (60') lots and 32 seventy-foot (70') lots. 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 comfortably meet these requirements. The Planning Commission approved the Preliminary Plat of this subdivision on June 18, 2014.

The Preliminary Plat of Summer Lakes Section Seven is not in conflict with any applicable regulations, with the Development Agreement for Fort Bend County MUD No. 144, or with the approved Preliminary Plat. That said, staff recommends that the Planning Commission recommend approval to City Council of the Final Plat of Summer Lakes Section Seven.

**Key Discussion:**

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

**Action Taken:** Commissioner Parsons moved, seconded by Commissioner Urbish, to recommend approval to City Council of the Final Plat of Summer Lakes Section Seven, being a subdivision of 23.92 acres out of the W.M. Lusk Survey, A-276, in the City of Rosenberg, in Fort Bend County, Texas (Fort Bend County Municipal Utility District No. 144); 53 lots, 5 blocks, 8 reserves (7.4454 acres). The motion carried unanimously by those present.

**6. REVIEW AND DISCUSS THE "SUBDIVISION" ORDINANCE AS IT PERTAINS TO PAVEMENT WIDTHS OF LOCAL/RESIDENTIAL STREETS, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.**

**Executive Summary:** At the October 15<sup>th</sup> Planning Commission meeting, Commissioner Poldrack requested an Agenda item to revisit a discussion item regarding expanded residential street pavement widths.

Minute excerpts from previous Planning Commission and City Council discussions have been included for review. A memorandum dated February 22, 2010, from Charles Kalkomey, City Engineer, has also been included for reference on pavement widths with standard and mountable curb types.

**Key Discussion:**

- Mr. Tanner presented the item and reviewed the Executive Summary. At the time this issue was discussed by City Council and the Commission at a joint Workshop meeting in 2013, it was decided to leave the requirement as is. The requirements of other cities were reviewed as well as potential impediments to emergency access. Part of the issue was determined to be the driveway lengths and garage proximity to the front property lines resulting in parked vehicles in the streets. This item was requested for discussion at the last meeting.
- Commissioner Urbish stated that he was looking at the 27' pavement width and recalled the previous discussion recommended 30' pavement widths. Lawrence Street is 39' wide. The minutes show that expanded widths would result in an increase in the City's maintenance costs as well as to the developer's costs, though that is not a particular concern since developers will continue to come here. He also stated that the 30' width may not provide a full fire lane but would make for a more appealing subdivision. Looking at all the other cities going with the 27' width, it makes one wonder if this is the right move.
- Mr. Tanner replied that a larger pavement width is not necessarily a bad thing. The majority of cities using the 27' width is that it is intended that parking is allowed on one side of the street and the other lane would be available for emergency access.
- Councilor McConathy inquired if it would be unreasonable if our standard were, for example, 27' for fifty or so residences. As the subdivision size increases, the standard width would increase as well.
- Mr. Tanner replied that if someone already has an approved land plan, the vesting statute under state law allows them to develop under the laws in place at the time of approval. For future developments, that could be considered.
- Commissioner Parsons stated that he continues to recommend, based on the numbers of houses already platted under the old scheme and the number of those lots left, that the City continue to target higher value housing. For smaller lots to have narrower widths, that may encourage lower value houses on those small lots. The City does not currently have any regulations requiring parking on only one side of the street and if it did, it would be difficult to enforce. During the previous discussion, there was some debate over 30' widths compared to 36' widths. He is in favor of amending our standards to attract higher priced houses. There has been reluctance to amend our standards due to the fear that those changes would reduce opportunities for future development. Our focus is what we want Rosenberg to look like in 25 years and we should increase the pavement width requirement to 30'.
- Mr. Kalkomey replied that he believes the market saturation has reached a point where smaller lots are not a detriment as many people are looking at smaller lot sizes with larger, higher priced homes on those lots. The increased street width would increase the cost of the lot to the builder, which increases the cost of the house. Would it be preferable to allow 55' lots instead of 60' if the street widths are increased to 30' or 32'? He believes the concept is worth exploring and would recommend getting some developers into a meeting to discuss it and what the reception would be and if any trade-offs could be worked out.
- Commissioner Parsons replied that is a good argument. To add a foot and a half to each side of the street, what impact would that have on a 30-year house note?
- Mr. Kalkomey replied that is essentially 30 square yards of additional pavement and the cost of concrete roads is about \$60 per square yard so the increase would be about \$1,200. The developer would be looking at a loss of about \$10,000-12,000 loss per lot.
- Commissioner Parsons replied that he is not concerned about the cost to the developer. What is the increase in cost to the buyer?
- Mr. Kalkomey replied that the average buyer will likely not care or notice the street width so it would not be a useful sales tool to present to potential buyers.

- Commissioner Parsons replied that it is not intended to be a sales tool. He would support meeting with some higher end developers.
- Commissioner Poldrack stated that if the street right-of-way requirement is currently 60', the developer would not be losing any land.
- Mr. Kalkomey replied that is correct.
- Commissioner Urbish stated that most people will be attracted to wider streets if all other construction is equal.
- Mr. Kalkomey stated that he has always been of the opinion that the City needs more than the three classifications of streets that we currently have. That would be an element of the Comprehensive Plan. He would recommend that he and Mr. Tanner set a meeting with two or three developers to get their input and bring that information back for discussion.
- Councilor McConathy stated that the length of streets is also an issue for speeding. She has noted that some four-way intersections have turnarounds or roundabouts. If the Commission will be suggesting some changes, that may be one requirement for discussion as well.
- Commissioner Parsons concurred with Councilor McConathy and replied that the most efficient way to calm traffic speed is with traffic tickets. There are streets we could be targeting.
- Mr. Kalkomey stated that in the 2010 memorandum he wrote that is included in the packet, page three explains the face-to-face dimensions of streets.
- Commissioner Poldrack stated that he does not feel that if every other city is using the pavement width of 27' that Rosenberg should as well. He would also like to address drive-over curbs and recommended that the discussion with developers include that issue.
- The general consensus of the discussion was to table the discussion to allow for Mr. Kalkomey and Mr. Tanner to schedule a meeting to discuss these proposed requirements and bring back their comments at the January Commission meeting.

**No action taken.**

**7. REVIEW AND DISCUSS POTENTIAL IMPACT FEES FOR ROADS AND THOROUGHFARES, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.**

**Executive Summary:** This discussion item has been included at the request of Commissioner Parsons to allow for Planning Commission discussion on potential impact fees for roads and thoroughfares. The Water/Wastewater Impact Fee Advisory Task Force (Task Force) made a recommendation explore the addition of said impact fees to City Council on November 16, 2009, and on May 20, 2014.

City Council discussion was held regarding the Task Force's 2009 Resolution recommendation for these impact fees at the January 26, 2010 Workshop. An excerpt of that discussion has been included for review. The Task Force's 2014 Resolution was distributed to City Council on May 30, 2014, as part of a weekly activity report by staff. At this time, no Council member has requested to add the proposed impact fees for roads and thoroughfares to a future meeting Agenda for further discussion. Staff does not have a recommendation for this item.

**Key Discussion:**

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Commissioner Parsons stated that when this Resolution was sent to City Council to consider road impact fees, it was more related to the establishment of the FY2015 budget.
- Councilor McConathy stated that this request was not included in the budget discussions. When the Comprehensive Plan consultant was requesting input from Council, she made that suggestion to the consultant to include impact fees for roads.
- Mr. Tanner stated that the consultant is also investigating concurrency standards as an alternative to road impact fees. Concurrency standards would require roads to be improved prior to development taking place.
- Commissioner Parsons replied that he also serves on the Impact Fee Task Force and this came up at our meeting last week. The idea of the May Resolution was to encourage Council to consider these fees as a potential revenue source in FY2015. He was not surprised that Council did not "jump" on that recommendation but he was surprised that the recommendation was not even discussed during the budget process. The Impact Fee Task Force will likely recommend this item again next year. It took 4-5 years to get Council on board with impact fees for water and wastewater.
- Councilor McConathy replied that this topic is being discussed more and more.
- Commissioner Parsons stated that these fees would provide the revenue for future improvements. The new residents need to participate in those costs. Longtime residents have already paid their fair share of

those costs. He has been told that there are no cities in southeast Texas that currently collect these fees yet that does not deter him from recommending that Council spend the funds to investigate the potential. The water/wastewater impact fees are projected to generate \$28M in revenue over the lifetime of our current developments once they are built out. The \$80K consultant expense was well worth the revenue collected to date, which totals about \$2.5M.

- Councilor McConathy replied that Council has borrowed from what other cities have done and this may be a circumstance that other cities are just waiting around to see who will go first. Once others implement these fees, perhaps it would get the ball rolling for other communities.
- Commissioner Poldrack stated that he is not swayed by what other cities are doing or not doing. We need to do what is right for Rosenberg.
- Commissioner Parsons stated that if he understands the impact fees correctly, these funds would not be to repair streets or used for upgrading streets, but for building new streets. It will impact the landowner, developer, and finally the customer. The arguments we have heard were that impact fees would slow development. That has not been the case with water/wastewater impact fees and he strongly feels it would not be the case with road and thoroughfare impact fees. He estimates that it will cost the City around \$500K for the cost of administering the impact fees over the life of the program and these fees will generate around \$28M over the next twenty-five years or so. People are coming. Change is coming whether we like it or not.
- Extensive discussion was held regarding rental property and multi-family housing.
- Commissioner Casias inquired of Commissioner Parsons if there was any specific action he is requesting the Commission consider.
- Commissioner Parsons replied that he wished to make the Commission aware that the Water/Wastewater Impact Fee Task Force meets twice a year and has put this recommendation to City Council multiple times. If this body agrees, he would like the Commission to endorse the idea and move it forward to Council as well. Commissioner Parsons also stated that he serves as a member of the Water/Wastewater Impact Fee Task Force and has since its inception in 2008.

*No action taken.*

**8. CONSIDERATION OF AND ACTION ON REQUESTS FOR FUTURE AGENDA ITEMS AND STAFF REPORT REGARDING THE FOLLOWING:**

- **THIRD QUARTER 2014 RESIDENTIAL DEVELOPMENT REPORT;**
- **COMPREHENSIVE PLAN UPDATE; AND,**
- **UPDATE OF ORDINANCES RECOMMENDED TO CITY COUNCIL BY PLANNING COMMISSION.**

**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 masonry standards, as well as the "Parking" Ordinance amendments that have been discussed in the last year to be on the City Council Workshop Agenda in November. A report of residential development activity in the Third Quarter of 2014 is attached for reference. Additionally, the first chapter of the Comprehensive Plan, generally containing background information on the community, has been completed and staff expects a draft to be available in the near future once revisions have been made by the consultant. The information will be shared with the Planning Commission at a future meeting. The next Comprehensive Plan Advisory Committee (CPAC) meeting will be in January 2015.

**Key Discussion:**

- Mr. Tanner presented the item and stated that the Comprehensive Plan update continues. The first chapter is complete and will be turning their attention to the thoroughfare plan, which is the second chapter. Mr. Kalkomey and myself will be coordinating with them for that piece. The consultant will come back in January to brief City Council at a Workshop meeting and will meet with the Planning Commission and Comprehensive Plan Advisory Committee (CPAC) as well. He is pleased with the progress of this update thus far. Road impacts and growth management will be covered in this next phase of the update.
- Mr. Tanner stated that some of the ordinances that have been recommended for approval to City Council over the past year or so will be added for discussion at next week's Council Workshop. If so directed to move forward, those Ordinance amendments will be scheduled on a future Agenda.
- Mr. Tanner reviewed the Third Quarter 2014 Residential Development Report, included in the meeting packet, with the Commission.

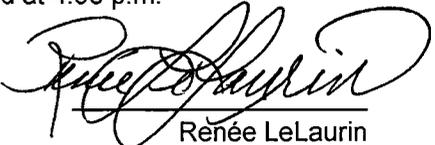
*No action taken.*

**9. ANNOUNCEMENTS.**

Mr. Tanner introduced Janet Eder to the Commission and stated that she would be working with Renée LeLaurin on the Planning Commission's agendas and packets.

**10. ADJOURNMENT.**

Commissioner Parsons moved, seconded by Commissioner Urbish, to adjourn the Regular Planning Commission Meeting. The motion carried unanimously by those present. The meeting adjourned at 4:58 p.m.



Renée LeLaurin  
Secretary II