

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, July 2, 2019 at 6:30 p.m. in Lake Jackson, Texas with the following agenda:

Locke Sanders
Harry Sargent
Brenda Colegrove
Joe Rinehart

William Yenne, City Manager
Sal Aguirre, City Engineer
Athelstan Sanchez, Asst. City Eng.
Sally Villarreal, Asst. City Secretary
Eddie Herrera, Engineering Technician
Matthew Broaddus, Council member

Vinay Singhania, Council Liaison

PLEDGE OF ALLEGIANCE

Harry Sargent led the pledge of allegiance.

APPROVAL OF MINUTES – June 4, 2019

Minutes were approved as presented.

VISITOR COMMENTS

No visitor comments.

PUBLIC HEARING TO CONSIDER AMENDING THE ZONING ORDINANCE TO REMOVE THE PERMITTED USE OF A MEMBERSHIP CLUB FROM THE ZONES B-1 (NEIGHBORHOOD BUSINESS), B-2 (CENTRAL BUSINESS), C-1 (COMMERCIAL) AND AS A CONDITIONAL USE IN R-4 (MULTIFAMILY RESIDENTIAL)

Mr. Sanders opened the public hearing at 6:33 p.m.

Mr. Yenne gave the history of the discussion that has taken place at the previous meetings with council. Businesses are now coming in that do not fit the zoning ordinance and come in as a private club or membership club. Before there was a restaurant mixed beverage license, many of our restaurants in our area got a private club license to be able to sell alcohol. Over the years the TABC private club and our membership club in our zoning ordinance got mixed together. There is no definition of either. Once the restaurant mixed beverage came along that resolved the issue for restaurants. What is happening now is anything that has to do with a private club of some type is receiving a membership designation and that is allowing things to come into the city that aren't specifically in our zoning ordinance. Our zoning ordinance is by prescription, meaning, if it's not listed it's not allowed, if it's listed then it's allowed. The purpose of this is that anything new that comes along can come before the public and the public has the opportunity to determine if they want that use or not in the city and if so, then what zone would it go in. By removing the membership club, if someone comes in and asks for something that fits the code, then it is fine. If there is something that is not in the code, then we would look to add it in the code. This would make it cleaner than coming up with definitions to a membership or private club. This is a zoning issue. If your basic use is allowed in the zoning code, then you are in. If it's not listed in the code, then it needs to come before the planning commission, city council and the citizens to decide on whether we want those type of businesses in the city and if we do, what zone do we want to put them in. If it comes down to bars, which do not serve food of any kind, the City of Lake Jackson is still technically a dry city, so we would have to have an election to allow bars. All facilities that are under TABC must supply food to their patrons. This has not been hap-

pening at some of the locations. The city is just trying to get back to the standard procedures it's had for 70 years and make sure that proposed uses rise and fall on their own merit.

Mr. Glen Jones – 118 Cypress

Mr. Jones asked if you wanted to have a membership club and you had a non-conforming business, but you went through the process, you could conceivably have the membership club in one of these areas?

Mr. Yenne replied that it would depend on the purpose of the business. If the purpose of the business is to provide food, then that's what it's being based on. If it fits into the code, then yes, if it doesn't fit into the code then it would have to go before planners for approval.

Mr. Jones asked if someone wanted to open a private club for a pool hall, would it be allowed? Mr. Yenne stated if their primary business is a pool hall and it fits the zoning code, then yes, it's allowed. If not, then it would have to go through the process. Mr. Jones gave that as an example of a non-conforming business.

Mr. Yenne gave an example and mentioned the city has had someone come in wanting to open a gambling club. A gambling club is nowhere on the zoning code, so it would have to go through the process.

Mr. Sargent noticed under the central business ordinance it does not list restaurants under permitted uses. It says drive in eating places. Sherri Russell stated we use eating places not the word restaurants. Drive in eating places means it's a sit-down place, not a drive thru restaurant. Fast food restaurants are considered drive thru, not drive in. Ms. Russell stated there are a lot of things that are not defined. This topic was not on the agenda, so it would be discussed further at a future meeting.

Mr. Rinehart agrees with Ms. Colegrove to get rid of the term membership club.

Ms. Colegrove asked if there was any idea how many businesses we have that do not fit into the zoning code and would have to come before planners. Mr. Yenne stated most of the businesses we have do fit in. What has happened things that were on the fringe were able to come through this loop hole. Anything that is already here is going to be grandfathered. What would have to be done going forward is determine if it's going to be a permitted or conditional use. Mr. Yenne also mentioned the potential overlay district for the downtown area that has been talked about. This would require defining the downtown area and what would be allowed making this unique to that specific area. There are options to make this happen. None of this discussion is intended to squelch business or stop people from doing things. It is to go back to the rule of order of the way we operate so it's all done out in the open.

Mr. Sanders asked if the "grandfathered" businesses would continue with change of ownership. Ms. Russell stated the new owners would need to apply for a new license therefore it would no longer be grandfathered.

Sammy Johnson – Dogwood

Mr. Johnson expressed his concerns about bars. Mr. Johnson said we are not in competition with Houston for DWI's or people getting killed on highways. He felt this is what would happen if we allow beer establishments in Lake Jackson. A lot of people have talked to Mr. Johnson about it and he has stated that Lake Jackson has always been a dry city and he would like to keep it like that. Mr. Johnson stated he used to work for an ambulance company in San Marcos while he was attending college. Mr. Johnson was dispatched many times to an accident containing a fatality (mostly students) and this was in a dry city. Mr. Johnson made it clear that he is 100% totally against making Lake Jackson a wet city with bars.

Ms. Colegrove asked Mr. Johnson if he thought the proposed change would be an improvement. Mr. Johnson did not think it would be. He thinks it should be left as is. Mr. Johnson said, "If people want that stuff they can move to Houston."

Mr. Sanders clarified that this would get rid of the term membership and take care of the loop holes where businesses are coming in as bars.

Mr. Kyle Devine – 120 Cottonwood – Co-owner of the Fill Station

Mr. Devine spoke as a concerned business owner in the community and someone who has tried to bring back some of the younger generations and people that are creating income and holding jobs in the area, he finds it disheartening to see what's happening. There are several restaurants/bars that have created hundreds of jobs and tax dollars in the community, as well as given a little life back to downtown Lake Jackson. With the expansion that has been put into downtown Lake Jackson there are only a number of businesses that can create what we have done with the restaurant and bar industry in downtown. By that, he means several doctors' offices, banks and other businesses whether it be clerical work or whatever downtown. The driving force to what is happening in bringing people downtown Lake Jackson has a lot to do with the restaurant and bar owners. Mr. Devine gave an example: The TABC holds a minimum of 40% - 60% ratio, food to alcohol ratio. Many restaurants will have a hard time keeping the food sales at 40%.

Mr. Devine suggested instead of defining or removing the term membership clubs, define it as a private club. Mr. Devine does not agree that alcohol is all evil, it should just be regulated. He would like to see the idea of private clubs allowed somehow or another to not exclude jobs, people or businesses into the area. Mr. Devine felt his business as well as others are creating a buzz for this community and bringing people in.

Ms. Sanders asked what Fill Station is considered.

Mr. Devine stated food/beverage. The Fill Station is usually selling 55% food. The alcohol usually does not out-sell the food. Mr. Devine didn't feel his business would have a problem, his concern is that for other businesses we have now and future businesses that may want to come to Lake Jackson. He does not feel that the idea of a "bar" should be intimidating and so far-fetched in Lake Jackson. There can be nice, well maintained establishments that represent the city well and still be on the side of the private club license, because the 40% food sales will still be something businesses with struggle with in the future.

Autumn Barrier – Wine Revue owner

Ms. Barrier stated they just celebrated one year in business and they have done very well. Ms. Barrier stated she thinks it is very antiquated thinking to not want to see these businesses thrive in the area, because it does keep people here and from driving to and from Houston. Whether people drive to Houston, Pearland or Freeport, people are still going to drink. She felt it is a much safer environment here and it would keep people from driving back and forth. She would like to see these businesses continue to thrive. As a small business owner who has invested a lot of her money into a business and help provide jobs, it's nice to be able to offer different venues for retirement parties, weddings, bridal showers, etc. Ms. Barrier would hate to see it stifled by old ways of thinking or that it's not time to progress when clearly people want it or wouldn't be here. The more opportunities we create for people to spend their money in this town will create revenue for this city. This will also create the opportunity to keep them closer to home and off the highways from here to Houston.

Mr. Sargent asked if they require memberships. Ms. Barrier said they do not, they have a food/beverage license. She also has a retailer's license where she can sell beer and wine to go.

Ms. Colegrove asked Ms. Barrier if a broader range of businesses were offered, does she think it would change much. Ms. Barrier didn't think it would outside of having alcohol. That is the nightlife in downtown. Ms. Barrier felt at the state level the private club has been the loop hole. Ms. Colegrove mentioned the night life scene has amped up within the last couple of years. Ms. Barrier didn't think anything was missing, but the city makes it harder to come in by not having clear definitions on what is already defined. She is one of the people who are on the narrow edge on the 40/60 split and is currently under an audit. If she does not hit those marks the state

will tell her she will have to go to a private club license. So, if the city where she has invested \$150,000 in the last year and employed ten people then tells her, we don't have a place for you and you will have to start all over again and she's not approved. She would have spent her life savings opening a business and ten employees lose their jobs for the city to shut down a loop hole that has been in existence since TABC has been in existence.

Mr. Broaddus asked Sherri to clarify the removal of the word "membership" won't mean no more private clubs.

Ms. Russell clarified. The removal of the word membership club means you must fit into the zone. We don't have bars in the zone, because you can't have bars if you're dry. It must fit the zone and be listed.

Mr. Broaddus wanted to make sure that the removal of membership clubs from this ordinance, won't remove private clubs from being available in the city.

Mr. Yenne stated we are not trying to stop people from coming in. The city does not monitor the percentage of food sales. If you have a restaurant and happen to have a bar, as far as we're concerned, you're a restaurant. What our concern is those places who have stopped providing food all together.

Ms. Barrier said a private club is not required to sell food, they just have to make it available. Mr. Yenne agreed, but said making it available is not a phone call.

Mr. Yenne stated there is a proper way to make things happen, and it's not going through a loop hole. If the citizens want to go wet, then there is an election process that must take place. Mr. Richard Wood came in and got all the information for the restaurant mixed beverage and that election passed.

Mr. Yenne clarified the city does not set the food and alcohol numbers, the city does the zoning.

Ms. Barrier said if she does not sell 40% food then the state takes away her license. This is what she fears because if the city she is invested in does not have a spot for her, then what will she do. Mr. Yenne told Ms. Barrier that the city sees her as a restaurant and the city does not monitor her sales. Mr. Broaddus stated it is possible to be a restaurant with a private club license from TABC.

Mr. Broaddus told Ms. Barrier if she had her restaurant mixed beverage license taken away for some reason, she would still be operating as a restaurant with a full menu.

Ms. Colegrove stated basically our restaurants are called drive in eating places and they are not tied into the TABC definitions with percentages. This makes the Wine Revue in the code.

Mr. Devine asked if there are no minimums by the city then can any establishment that walks in without approval from City Council be considered a drive-in eating place? He stated there is a lot of confusion on private clubs, restaurants and drive in eating places due to lack of definitions.

Mr. Yenne stated there has been some hype and rumors spread throughout the community that has gotten people worked up. Mr. Yenne tried to clarify some of the confusion by clarifying what the city considers a restaurant. He stated.... If you open a place with a full menu where people can come in and get a meal, that's fine, the city does not care or get involved in percentages or ratios of food sales. What the issue is, if we want to change the code, there is proper way to do it. You must come before the people and describe what you want, and we'd have to find a place to put it in our zoning code, or, if people want an election for the city to go wet, then that would be the election. The point is right now, rumors are getting people worried about losing their business and the city is full of antiquated thinkers. This is simply not true. What we're trying to do is go back to regular order and not the back door. This should be done in front of everybody and a decision should be made by the citizens on what they do or what they don't want.

Mr. Devine stated what's not to stop people from using a different loophole. He mentioned a laundromat opening as a private club and serving alcohol. Mr. Yenne once again said that food must be provided no matter what. Ms. Russell stated, you do not have to sell food it just must be available, and it can't be pre-packaged such as popcorn, chips, etc. Mr. Devine stated then that would make a frozen DiGiornio pizza made in a microwave acceptable. This is the loophole he was talking about. He felt by closing one loophole, it will open another one. Ms. Russell said those issues would be dealt with as they come. Mr. Devine then asked if it would be an option instead of removing club memberships to allow private clubs. Mr. Yenne answered and said this would go through the process, rather than coming through like they've been doing. They would come in and consider allowing private clubs in the city, and we would run into the problem that the city is dry. So, if it's a business that is just going to just serve alcohol it would violate the law. The city's zoning code is by prescription, meaning if it must be listed to be allowed. If it's not listed, then this is when they come in and the commission decides if it's something that we want to allow in the city. If it is, then the commission would decide where it would fit and be placed.

Mr. Rinehart brought up the petition from Mr. Woods. Mr. Woods went through the county, started a petition and got signatures from business owners and others. It went through an election and it passed. The process works. Mr. Rinehart stated that he disagrees with the thought that Lake Jackson is not progressive and antiquated. Mr. Rinehart has been part of the city government since 2003 and the city has moved forward a great deal. At some point it would be nice to not have regulations, but that is not ever going to happen. We must have some guidelines and it will take a group of people to work together and try to rectify this situation, so it works for everybody.

Mr. Sanders stated we need the input of our citizens and local business owners. We don't know everybody's business. If this goes that we get rid of the membership club, then it will be led another path and we will need the help of citizens and local business owners.

Public hearing closed at 7:19 p.m.

On motion by Mr. Rinehart second by Mr. Sargent with all present members voting "aye" the consideration to amending the zoning ordinance to remove the permitted use of a membership club from the zones B-1 (Neighborhood Business), B-2 (Central Business), C-1 (Commercial) and as a conditional use in R-4 (Multifamily Residential) was approved.

Mr. Rinehart suggested forming a subcommittee of local business owners, planning commission members and council members to work together and find a solution that works for everybody. The world is changing and for the city to grow, progress sometimes brings things that not everybody agrees with.

FINAL REVIEW AND ACTION ON SITE PLAN AMENDMENT OF THE EXISTING PLANTATION VILLAGE PLAZA SHOPPING CENTER SITE PLAN AT THIS WAY & SH 332

Engineer's Memo:

Mr. Gene Werlin presented his preliminary site plan of his proposed improvements and modifications to the existing site of the Plantation Village Plaza Shopping Center. The center is located at the corner of This Way and US 288 / SH 332 and adjoins the Dow Administration Building.

This preliminary site plan amendment consists primarily of demolition of the current "Wing Stop" building and replacing with a slightly reduced building that allows for front end parking and drive way. This also similarly modifies a portion of the main shopping strip building by trading off fronting drive to parking stalls and vice versa.

Additional rearrangements of the paving areas attempt to improve the flow through the center. The overall impact of these to the parking space is a wash and still meets the ordinance requirements of retail use existing 285 to a proposed 284.

Other civil site impacts:

- Drainage

The overall impervious surface change to the site is a minor increase of 2,000 sq. ft. which is not anticipated to affect the existing drainage capacity of the site system and of the receiving systems. Staff has confirmed this assessment.

- Utilities

Sanitary and water lines servicing the system are proposed to remain as existing with no changes required due to the modifications. It is anticipated that the existing utilities serving the existing building to be demolished will be reused by the new building replacement.

An existing private sanitary system serving the remaining strip center with past history of stoppages has been evaluated by the developer and assessed by his team as having no issues of concern.

- Fire Protection

The existing water line and hydrant system serving the site will remain unchanged without the need for additional system required for the site changes.

One issue remains to consider for final approval of this site plan amendment. A sidewalk running along SH 332 originally recommended and indicated at preliminary has been left of this final site plan and needs to be addressed as to its commitment or other conditions affecting this.

Mr. Doug Roesler with Baker & Lawson was present representing the owners of Plantation Village.

Mr. Roesler discussed the remodeling of the parking lot and building the sidewalk. They have proposed to tie the sidewalk into the parking lot. The sidewalk along the highway is difficult and could be very dangerous. They have talked to TXDOT and they said if the sidewalk is between the parking lot and the ditch, there would not be a problem.

Ms. Colegrove asked if the shrubbery is not required, could a sidewalk be placed there? Mr. Roesler said it was possible, but he didn't know of water.

Mr. Sanders asked Mr. Roesler if he could consider Ms. Colegrove suggestion. Mr. Yenne suggested putting a sidewalk closer to the side of buildings. Mr. Rinehart agreed with Mr. Yenne as far as the placement and it would be safer.

Mr. Sargent asked about the Wing Stop building. Mr. Aguirre stated the Wing Stop portion of the building is being taken down. The building is being reduced by about 2000 sq. ft.

Mr. Sargent asked if the dumpster could be moved closer to the business. Mr. Roesler said he would talk to the owners about that.

On motion by Ms. Colegrove second by Mr. Rinehart with all present members voting "aye" the final review and action on site plan amendment of the existing Plantation Village Plaza Shopping Center site plan at This Way & SH 332 was approved with the addition of a painted sidewalk in lieu of sidewalk along feeder road as discussed.

FINAL REVIEW AND ACTION ON ALTERNATE LANDSCAPE PLAN AMENDMENT OF THE EXISTING PLANTATION VILLAGE PLAZA SHOPPING CENTER PLAN AT THIS WAY & SH 332

Engineer's Memo:

At the previous preliminary review meeting, the only item in question was the tree screen requirement left out of the plan. This final landscape plan amendment addresses the issue and comes in as an alternate plan with the full screening now included and the following conditions:

▪ Trees

The existing site consists of a 33 count. The proposed plan changes remove 5 of these but replaces them in the different locations. There are additional trees indicated resulting in a total of 41 trees that exceeds the "on site" tree requirements amply. In this final plan the proposed replacement and additional trees call for palm and oak trees which are part of the official tree list.

▪ Landscape Area

The existing site contains 9.2% landscape areas which is short of the 12.5% requirement. Due to its preexisting status, this amendment alternate plan reduced this area even further to the 7.7 % level which was approved as an alternate plan condition at preliminary and remains.

▪ Irrigation

The existing site does not have any irrigation system. This amended plan also omits any plan for an irrigation system and is a condition for this alternate designation.

No other issues remain for your action and consideration.

Mr. Roesler showed the trees and shrubs that have been added to the plan. All the pine trees have been removed and palms have been added.

Mr. Aguirre mentioned this is an alternate landscape plan for the reasons of use of the parkway, not meeting the overall green space and the lack of irrigation.

On motion by Mr. Rinehart second by Ms. Colegrove with all present members voting "aye" final review and action on alternate landscape plan amendment of the existing Plantation Village Plaza Shopping Center plan at This Way & SH 332 was approved.

REQUEST FROM YAKLIN / LA QUINTA HOTEL TRACT(S) IN LAKE JACKSON TOWN CENTER, RESERVE "B" FOR SPECIAL TREE CLEARANCE PERMIT ON PROPOSED EASEMENT PRIOR TO SITE DEVELOPMENT APPROVAL FOR UTILITY SERVICE ACCESS.

Engineer's Memo:

The piecemeal and unplanned partitioning by the developer has led to lapses by the different design teams involved in lot preparation. This discontinuity led to the Yaklin tract being left out of an overhead electrical utility easement access for service to his property. The snafu was not realized until his project got into full construction mode which now has put the brakes on its contractor and schedule.

To help resolve this conundrum, the adjacent La Quinta hotel site has tentatively agreed to provide the missing electrical utility easement. Creating this easement will require the ground and an aerial easement that will affect the La Quinta tract and its adjoiner Vernor tract recently acquired from the original developer. This will require agreements of all parties and the eventual replatting of the tracts which may be done sometime in the near future. Meanwhile, the problem at hand is the installation of the CenterPoint overhead service that will require some ground and aerial tree clearance.

The critical path of the Yaklin project is of “the essence” for making this request for special consideration as the trees within this easement will need to be removed or significantly trimmed prior to any official presentation of site / landscaping plan approval of the La Quinta hotel.

They acknowledge that there are obligations for some approved landscape plan replacement and are providing you with a tree survey and conceptual site plan for comparison purposes subject to future review changes. The tree survey and conceptual plan does indicate that tree requirements for the future site are not being compromised with this request.

A similar type request has come to you in past but due to its implication on Yaklin’s project predicaments, we see the need for you to give consideration on the merits for this.

Mr. Doug Roesler with Baker & Lawson was present to discuss this item.

Mr. Roesler stated that Yaklin does not have access to electricity. La Quinta owners have agreed to allow Yaklin a 10’ ground easement for power poles to serve Yaklin. Along with a 10’ ground easement there is a 10’ aerial on the La Quinta side and a 10’ aerial on the Vernor side. There is also a sanitary easement. Vernor has agreed to allow the aerial easement to encroach into their property. They are working between their attorneys to get the verbiage of the easement description to allow this to happen. There is a request to allow the removal of designated trees to allow for the utility lines.

Mr. Aguirre stated there are 4 trees involved in the removal to make this work.

Mr. Rinehart asked if the removal of these trees would affect Yaklin’s tree count. Mr. Aguirre replied that it would not affect Yaklin.

Mr. Roesler stated Centerpoint will not move forward unless there is a recorded easement.

On motion by Mr. Sargent second by Mr. Rinehart with all present members voting “aye” the request from Yaklin / La Quinta Hotel tract(s) in Lake Jackson Town Center, Reserve “B” for special tree clearance permit on proposed easement prior to site development approval for utility service access was approved.

PRELIMINARY REVIEW AND ACTION ON SITE PLAN OF PLANTATION PARK II PUD – APARTMENTS, PHASE 2

Engineer’s Memo:

This project is the continuation and completion of the Plantation Park PUD tract remainder of the original apartment development that was left unspoken for future B-1 development. The PUD governing this tract allowed certain use conditions which have been addressed in this proposed site plan as follows:

- A. The plan indicates 232 apartment units as an approved use. The plan mix calls for 108 / 1 - BR, 72 / 2 - BR, 16 / 3 - BR and 36 Efficiencies.*
- B. The plan locates only one floor apartments within the height restricted zone 1 tier as approved. The remaining multi floor units also comply within their approved height restriction zone 2 and 3 tier locations.*
- C. The separation distance to the residential boundary has been voluntarily increased from the approved PUD condition of 15-ft buffer to 45-ft to the parking line and building line of 1-story buildings and of 30-ft to 45-ft to the closest driving aisle.*
- D. The plan includes a total space count of 409 consisting of 396 secured (36 garage, 360 surface) and 11 unsecured in compliance with the space per unit approved in the PUD.*

E. *The required PUD border fencing requirements of 8-ft wood private fencing for the residential side has been as well as a 6-ft on the apartment side and a decorative metal fence along the remaining sides.*

F. *The site is supported with a substantially completed civil infrastructure package that includes a working plan layout of water, sewer and drainage systems to service the site. The drainage portion is being assessed at this time and will need to be substantiated to the satisfaction of city in a future submittal.*

The proposed water and sewer layout has been flagged to comply with policy and construction standards with mostly minor modifications and resolutions to come at final. The civil fire protection plan includes the standard fire line supply and hydrant number and placement along with the fire lane widths and gate access. Final assessment by the Fire Marshal will confirm prior to final submittal. Building fire protection will be designed and reviewed at building permit phase.

G. *One complex wide waste unit location has been planned for their collection system whose location will comply with the city's pickup practice and be well above the approved PUD condition distance separation to residences of 59-ft.*

Maria Ramirez with Jones & Carter Engineering was present to discuss this agenda item.

Mr. Aguirre went over the memo notes listed above and stated this site plan follows the PUD requirements real close. There will be a lighting plan and bus bench relocation included in their final.

Mr. Rinehart stated it is like a regular neighborhood so long as they monitor and adhere by the PUD.

Mr. Sargent asked about the sidewalks. Mr. Aguirre stated the sidewalks will be connected to existing sidewalks.

On motion by Mr. Rinehart second by Mr. Sargent with all present members voting "aye" preliminary review and action on site plan of Plantation Park II- PUD Apartments, Phase 2 was approved.

PRELIMINARY REVIEW AND ACTION OF LANDSCAPE PLAN OF PLANTATION PARK II PUD- APARTMENTS, PHASE 2

Engineers Memo:

This proposed landscape plan follows suit with the original apartment PUD governing conditions which are addressed as follows:

- A. *The exemption of no required mitigation of protected trees under any improvements is being fully applied in the plan. The plan proposes to retain as many of these lying with the residential buffer zone and in open recreational areas.*
- B. *The proposed plan exceeds the natural residential buffer width from the approved PUD plan of 15-ft to 45-ft at parking areas and 30-ft to 45-ft to any travel lanes.*
- C. *The proposed plan exceeds the open space area percentage from the approved PUD plan of 15% to 50%.*
- D. *The minimal parking exposure to Plantation Drive also reduced the parking screening requirements which are provided in the plan.*

- E. The tree count proposed is not an issue due to the plan making use of credits for protected trees and only offering new trees to meet the screening criteria. Of 155 protected designated trees in the tree survey provided, 77 are being removed with 78 remaining of which 60 credits out of 360 are being taken to meet the 60 tree count requirement.*
- F. No landscaping product or detail areas plan is offered other than existing trees in open areas and 5 new trees in screen gap. This is not relevant to the landscape plan basic requirements.*
- G. The plan proposes an automatic irrigation system, but no system design detail included. This may be submitted at building permit phase.*

Mr. Aguirre went over the memo notes listed above. There are no problems and the tree count is being met.

Ms. Ramirez mentioned some of trees will be regraded and anything in the building or paving area you don't have to mitigate for, whatever is outside of that, they will work around.

On motion by Mr. Sargent second by Ms. Colegrove with all present members voting "aye" the preliminary review and action of landscape plan of Plantation Park II PUD- Apartments, Phase 2 was approved.

SIGNATURE OF DOCUMENTS

There were no documents to sign.

ITEMS OF COMMUNITY INTEREST

Mr. Rinehart mentioned the east end of Lake Jackson's Planation corridor and the west end of Clute on their Planation, both areas are not thriving as they used to be. Lake Jackson has a brand-new county building and two new schools coming. Mr. Rinehart would like to see a consultation or program to work with Clute and see if we can revitalize the Planation corridor from SH 332 to Main Street in Clute. There are a lot of businesses that could go there. The biggest thing there is the property lines are up to the buildings.

Mr. Rinehart also mentioned a number of 18-wheelers starting to park in the Randall's parking lot. Mr. Yenne said the city is working on that and it is being resolved. Mr. Rinehart said some of these 18-wheelers are traveling down Walnut Street.

Ms. Colegrove asked when the Dog Park is opening. Mr. Yenne stated by the end of August or September. The rain has delayed the project.

Mr. Broaddus mentioned the July 4th celebration taking place.

Construction should start late calendar year for the next phase of the Downtown revitalization.

SET NEXT MEETING DATE – Tuesday, August 6, 2019

ADJOURN

There being no further business the meeting was adjourned at 8:09 p.m.

These minutes read and approved this _____ day of _____, 2019.

Locke Sanders, Chairman

Brenda Colegrove, Secretary