

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 July 5, 2023, at 6:30 p.m. in Lake Jackson, Texas, with the following agenda:

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

Milford John-Williams, Asst. to the City Manager
Anamaria Acuña, Asst. City Secretary
Sal Aguirre, City Engineer
Eddie Herrera, Project Manager
David Walton, Building Official
Vinay Singhanian, Council Liaison

PLEDGE OF ALLEGIANCE

Mr. Sargent led the pledge of allegiance.

SWEAR IN MEMBERS

Ms. Acuña administered the oath of office to Mr. Sanders, Ms. Aplin and Mr. Tyler.

REORGANIZE BOARD

Mr. Locke Sanders was re-nominated as chair.

On motion by Mr. Gilbert, second by Mr. Bjune, with all present members voting “aye,” Locke Sanders was voted in as chair.

Mr. Sanders appointed Mr. Bjune as secretary and Ms. Aplin as vice-chair.

APPROVAL OF MINUTES – June 6, 2023

The minutes were approved as presented.

VISITOR COMMENTS

No comments.

PRESENTATION FOR DISCUSSION AND PROVIDE FEEDBACK TO A PROPOSED DEVELOPMENT OF A CONVENIENCE STORE AND GAS STATION AT 230 FM 2004 IN LOT 1, SHIVAM SUBDIVISION

James Kahlig – JK Gas Station Services

Mr. Kahlig mentioned that he is part of the general contracting and designing company. He said the planning department previously submitted feedback, but he is present to discuss their submitted revisions.

Mr. Aguirre suggested Mr. Kahlig go over the original submittal so that they could discuss the issues along with the corrections. Mr. Kahlig noted that the original plan had less than 20 parking spaces. The city of Lake Jackson’s requirement is 10 per 1,000 sq. ft., and they have updated approximately 46 parking spaces. Although it does not meet the criteria, they hope for a variance.

Mr. Aguirre went over the *Engineer's memo* below and summarized the issues and corrections:

The proposed development is located in the 5+ acre corner tract at the corner of SH 332 and FM 2004 at the previous MHMR site. What was originally planned as an administrative review for action agenda item, had to be reconsidered as a preliminary presentation for discussion and feedback as the preliminary plan indicated a significant deficiency in the parking space count required in the zoning ordinance, that can only be given by a generous allowance for compliance that only the planning and zoning board can consider and grant.

This is a rerun of the same issue the board was presented with in December 2022 with a similar use. What differentiates them is the size of the lot involved and the added fuel dispensing service.

The specifics of the proposed site indicate the following:

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

The preliminary site plan indicates a 6,000 sq. ft. convenience store use building with a 6-island, 24 dispenser gas station and 1 - 2 dispenser semi-truck station with canopies. The site drainage is being handled by an underground storm pipe and detention basin system designed to TxDOT standards and permitted by them. The developed site has been designed on a 3-ft – 4-ft elevated fill pad which will require removal of all trees within the fill zone. Numerous trees outside the impacted areas still remain and will comply with the landscape needs of the site.

The parking count indicates 18 regular car spaces and what purports to indicate 4 semi-trailer spaces. The ordinance requires 10 per 1,000 sq. ft. building, which would call for a 60-space count which requires your deliberation and opinion on this matter.

Recap of information for the board's consideration, our request for information for detail of the proposed building yielded the following:

- *6,000 sq. ft. building. No specific retail use given.*
- *18 regular car parking spaces*
- **4 semi-truck parking space (* to be confirmed)*
- *There will be 6 - 24 fuel dispensers.*
- **1 - 2 semi dispensers (* to be confirmed)*
- *No car wash or any other element that would use a lot of water indicated.*

Mr. Aguirre noted that the landscape plans would meet the tree requirements with the trees included in the triangular lot. Regarding drainage, their detention area must meet the TxDOT requirements before the city's. Mr. Aguirre confirmed if they meet TxDOT's requirements, they will automatically meet Lake Jackson's.

Mr. Sargent asked where the detention pond would drain to. Mr. Aguirre noted the drainage would lead towards the right of way where there is a 24-in. pipe leading to the bar ditch.

Mr. Aguirre mentioned another concern with the original submission, as it was noted that they were planning to install regular gas station pumps, but they did not specify the quantity nor how large the semi-truck dispensary area would be. He also asked Mr. Kahlig how many designated parking spaces there were for the semi-trucks. He confirmed it was four. Mr. Aguirre addressed the main issue would be focused on parking and asked the planning commission for their feedback.

Mr. Kahlig noted there were concerns regarding the lift station. Mr. Aguirre stated that the old MHMR had their lift station tied to Lake Jackson's sanitary. Mr. Aguirre said it was not mentioned whether they would be taking over that system or installing a new one. Mr. Kahlig confirmed they would be installing a new one.

Mr. Kahlig moved to discuss the concerns about the landscape. He shared that their revised plans would include the placement of the trees they plan to preserve. He noted that he caution-taped the ones they plan to keep. He also explained that they would like to leave the trees in the triangular lot as is and possibly add a picnic area.

Mr. Kahlig addressed the semi-truck parking will not be overnight. They do not see an issue with providing semi-truck parking, but they will not cater to overnight parking as noted there is a Love's gas station that provides that nearby.

Mr. Kahlig also mentioned that TXDOT will add a median in the future, so they will only receive one-way traffic to enter the station.

Mr. Kahlig asked if the planning commission had any questions. Mr. Gilbert asked how many additional parking spaces were added. Mr. Kahlig stated they originally had about 19 to 45. The requirement is 60, but Mr. Kahlig added if they counted the pump stations, they would be at 60. Mr. Sargent stated that Lake Jackson does not consider pump spaces as parking.

Mr. Sargent asked about the flow of traffic. Mr. Kahlig explained their proposed driving lanes. He explained with TxDOT adding the median in the future they do not foresee semi-trucks crossing over to HWY 332. The semi-trucks are to flow away from the other regular parking spots. In general, the semi-trucks will enter through FM 2004, but they can enter either way.

Mr. Gilbert asked if there were two sides to the semi-trucks to fuel. Mr. Kahlig explained that it does not matter what side they enter to pump; the overflow will go to the next tank, so the semi-trucks can enter either way.

Mr. Sargent asked if the gas station would have showers for the truckers. Mr. Kahlig confirmed there would only be restrooms as they are not trying to cater to overnight parking. He stated they would not run off the semi-truck drivers but added that the semi-truck parking is limited.

Mr. Bjune asked if the dumpster was placed next to the semi-truck parking. Mr. Kahlig confirmed that it was originally front ways but changed to sideways.

Mr. Kahlig said they could make room to satisfy the parking if they modified the site plans. He mentioned they have space for the extra parking (in the triangular lot), and they are hoping for a variance because the trees are so large, and they would like to preserve them.

Mr. Aguirre asked what the intended plans were, as Mr. Kahlig mentioned keeping the trees and placing a pond in the same location. He followed up by asking if the trees would be inside the detention pond. Mr. Gilbert noted that the trees he wanted to keep would not survive in a pond.

Mr. Kahlig confirmed that a part of the pond is where the mentioned trees were. Mr. Tyler said it was a dry / detention pond. After reviewing the plans Mr. Kahlig mentioned the bigger trees will be left as is and there will be nothing over nine inches where the dry pond will be located, as it will be filled occasionally.

Mr. Bjune has concerns about the plans and stated that 7.5 is a better compromise than what they had originally.

Ms. Aplin mentioned concerns about the ingress and egress of the 18-wheelers as the intersection is already congested down FM 2004.

Ms. Aplin stated that HWY 36 will be divided, which may affect the traffic that leads to Jones Creek and Freeport.

Mr. Gilbert stated he appreciated the determination to add more parking, especially with the addition of spaces for semi-trucks, as the area does not have a place for those types of vehicles to fuel. He commented that it would be hard to compete with other gas stations but liked that they would provide services for those underserved. He also advised looking over the trees near the detention pond.

Mr. Herrera explained the existing TxDOT right of way and demonstrated the proposed TxDOT plans that were provided in 2015. He also noted that some of the trees will be removed due to the right of way. Mr. Herrera also stated the trees will be removed where the detention pond is located.

Mr. Aguirre suggested the property owner contact TxDOT to receive information regarding where they will indicate the new proposed right of way near the property before progressing further. He recommended looking at the survey to address the easement and proceed with the projected traffic and parking for the future.

The planning commission stated they are amendable with the efforts provided, but they will need to update their drawings and address the easements on HWY 332.

Ms. Joe stated they would confirm with the survey, update their drawings, and make it clear what trees are to be preserved. Mr. Sanders said that they are willing to meet for a special meeting and if Mr. Kahlig wants to meet, to reach out to Ms. Acuña or Mr. Aguirre to schedule.

Mr. Singhania mentioned that TxDOT pushed their dates to 2030 for all changes on HWY 332 and that everything would stay the same until then. Mr. Singhania also advised the planning commission about concerns the City Council may have regarding overnight parking as the semi-trucks may carry chemicals and the potential to develop a leak.

Mr. Kahlig thanked the planning commission.

SIGNATURE OF DOCUMENTS

- Replat of Lots 15, 16, 17 & 18, Block 6, Area "J" into Lots 15A and Lots 18A, Block 6, Area "J"

ITEMS OF COMMUNITY INTEREST

- Mr. Bjune asked why the Christian Brothers employees park on the grass.
 - Mr. Walton thanked him for bringing that to his attention and advised him it would be addressed.
- Mr. Sargent also asked Mr. Walton if he could address the parking on the grass at First Methodist.
 - Mr. Walton stated that his enforcement officers are off on Sundays, but if he received pictures with a date and time stamp, it would help address the issue.

SET NEXT MEETING DATE

The next regularly scheduled meeting is Tuesday, August 1, 2023.

ADJOURN

There being no further business, the meeting was adjourned at 7:32 p.m.

These minutes were read and approved on this 1st day of August 2023.

Locke Sanders, Chair

Matthew Bjune, Secretary