



PLANNING & ZONING COMMISSION

**MINUTES OF A
REGULAR MEETING
HELD THURSDAY, MAY 16, 2019
AT 7:00 PM**

**CITY HALL
COUNCIL CHAMBERS
910 S. FRIENDSWOOD DRIVE
FRIENDSWOOD, TEXAS**

Regular Meeting

1. The regular meeting was called to order at 7:00pm with the following people in attendance:

Chairman Joe Matranga
Commissioner Brett Banfield
Commissioner Eric Guenther
Commissioner Dick Clark
Becky Summers, Development Coordinator
Aubrey Harbin, City Planner/Director of CDD

Commissioner Richard Sasson
Commissioner Lisa Lundquist
Commissioner Marc Perry
Mary Kay Fischer, City Attorney

2. Communication from the public/committee liaisons
(To comply with provisions of the Open Meetings Act, the Commission may not deliberate on subjects discussed under this agenda item. However, the Commission may direct such subjects be placed on a later regular Commission agenda for discussion and/or possible action.)

None.

Action Items

According to the Planning and Zoning Rules of Procedure (R2010-09), all action of the Commission shall be made by an affirmative vote of four (4) or more members of the Commission present at such Commission meetings.

3. Consent agenda
These items are considered routine or ministerial in nature and will be enacted with one motion. There will be no separate discussion of items unless a commissioner or citizen so requests in which case the item would be removed from the consent agenda and considered separately.

A. Minutes from May 6, 2019

Motion to approve: Sasson

Second: Clark

Vote: 7 to 0 Unanimous

Motion Passed

Action Items

According to the Planning and Zoning Rules of Procedure (R2010-09), all action of the Commission shall be made by an affirmative vote of four (4) or more members of the Commission present at such Commission meetings.

4. Consideration and possible action regarding a **site plan amendment for Farmers Insurance located at 104 Melody Ln**

Motion to approve: Banfield

Second: Lundquist

Motion to table: Sasson

Second: Banfield

Vote: 7 to 0 Unanimous

Motion Passed

Harbin explained the request was for an existing business the Commission approved in 2015, construction completed in 2016. She said the original site plan included an 8-foot cedar fence to separate the commercial property from the neighboring residential property. Harbin explained staff missed the required fence during the final inspection.

Harbin said the adjacent neighbor issued a complaint the fence was never installed. Harbin contacted the business owner and they discussed the option of installing landscaping in lieu of the fence. Harbin stated further into researching the properties, the house was built in 1995 adjacent to the Community Shopping Center (CSC) tract and the residential owner should have installed an 8-foot fence at that time. Currently the business owner is proposing to install wax myrtles every 8-feet.

Jackie Bailey/neighbor said she is a realtor and having a commercial property next door devalues her property. She said she is interested in a screen and 3-gallon shrubs will not buffer adequately.

Banfield said he would favor a landscape buffer over a fence because wood fences do not look very nice once they become weathered. Bailey said she needs an opaque buffer, at least 5-6 feet, now. Lundquist asked if 15-gallon shrubs were fair. Bailey said only if they were planted 3-feet apart.

Harbin explained there are two different violations on the table. She said the Bailey's property was in violation since the 8-foot opaque fence was never installed in the 1990s. Harbin said the Farmers Insurance was in violation because the 8-foot fence shown on the site plan was never installed either. Banfield suggested the two property owners split the cost of the barrier.

Lundquist said she prefers the landscape barrier, as well. She said planting the wax myrtles 8-feet apart makes sense to allow them to grow 8-feet tall but that does not address Mrs. Bailey's immediate concern. Harbin stated Mrs. Johnson offered to have her employees park on the far side of the parking lot while Mrs. Bailey was selling her home.

Perry tried to explain the City would have to enforce both ordinances, not just the one against the business owner. Guenther suggested the two neighbors try to come to an agreement. He explained if Mrs. Johnson comes to file a complaint then Mrs. Bailey will also be installing a fence. Sasson stated the Farmers Insurance property was zoned commercial when the Baileys purchased their home.

Angela Johnson/Farmers Insurance explained the different options she and Mrs. Bailey had discussed over the years. She said there are existing trees that any new trees/bushes would need to fill around.

Banfield asked Johnson the cost estimate for the proposed landscaping at 3-gallon and 15-gallon. He suggested the two neighbors split the cost.

Perry suggested the Commission table the item to allow additional dialogue between the neighbors.

5. Consideration and possible action regarding a **site plan for Chipotle Mexican Grill to be located at 1705 S. Friendswood Dr.**

Motion to approve subject to staff comments: Clark

Second: Lundquist

Vote: 7 to 0 Unanimous

Motion Passed

Harbin explained the project was for a free-standing restaurant, approximately 2,315 square feet. Harbin said the project's landscape buffer and sidewalk design will mirror the neighboring projects to accommodate the open ditch and utility lines. Harbin said the Commission would need to consider the metal panels being proposed.

Clark asked if metal work was standard on Chipotle restaurants. Harbin answered she usually sees Chipotles located within strip centers and was not sure.

Clark mentioned he was unhappy with the access throughout the Virgata Development. He said the access was no fault of Chipotle but was afraid the lack of side street access points would be problematic. Harbin explained that unfortunately, Starbucks has their drive-thru stacking on top of an access easement, and ultimately it would be a civil matter between those property owners.

Matranga asked if there was anything the development could do to improve the access. Harbin said they have tried their best. Sasson said during the rezoning of the far end of the development, the neighboring residents came out to protest a driveway cut on Leisure Lane.

Sasson asked if the Commission had approved metal panels before. Harbin said, most recently the Virgata Commons buildings in the same development presented metal panel accents. Guenther asked if the red color met the Community Overlay District's "earth tone color" requirements. Summers said earth tone colors did allow for muted reds, greens, blue, etc. She said other buildings had similar color palettes such as Wendy's.

Lundquist searched Chipotle Google images and found they are all slightly different, depending on the surrounding architecture. Matranga asked Banfield if he had an opinion

regarding the durability of the metal panels. Banfield said he has not personally worked with the material.

6. Consideration and possible action regarding future Planning and Zoning Commission meeting dates

Harbin said the next regular meeting would be June 13th on the new schedule of meeting the second and fourth Thursday of the month. She said the Commission would also hold public hearings for three zone changes.

7. Communications from the Commission

- a. Commissioners – no comments.

- b. Ordinance Subcommittee Update – no comments.

- c. Planning Subcommittee Update – no comments.

- d. Council Liaison – Branson congratulated the subcommittee for working on the Downtown District ordinance changes. She said all the ordinances passed City Council unanimously.

- e. Staff – Harbin said there were no DRCs in April so a report was not sent out.

8. The regular meeting adjourned at 8:19 pm.

These minutes respectfully submitted by:

Becky Summers

Becky Summers
Development Coordinator/P&Z Secretary