



PLANNING AND ZONING COMMISSION MEETING MINUTES

**Tuesday, May 07, 2024
7:00 PM**

Iowa Colony City Council Chambers, 3144 Meridiana Parkway, Iowa Colony, Texas 77583

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Members present: Warren Davis, Terry Hayes, David Hurst, Les Hosey, Robert Wall, Brenda Dillon and Brian Johnson

Members absent: None

Others present: Dinh Ho, Robert Hemminger, and Councilmember Varlack

CALL TO ORDER

Chairman David Hurst called the meeting to order at 7:02 P.M.

CITIZEN COMMENTS

- Melissa Aspiras; 2423 CR 63: Her concern is the Ellwood PUD amendment regarding the realignment of Karsten. She asked if anyone had been out to look at the property as she thinks the realignment is unnecessary.
- Judy Myers; 2511 CR 62: Written comments attached.
- Denny Myers; 2511 CR 62: Written comments attached.
- Jean Meyerson; 2505 CR 758: She stated that her property is right next to Karsten and after looking over the plans on page 20 and 21, her question is that they are asking the city to assist with purchasing her property.

PUBLIC HEARING

1. Hold a public hearing to consider rezoning the following property from Single Family Residential to Business and Retail:

Approximately 10 acres of land on County Road 48, South ½ of Lots 190 & 191, Section 66, H.T. & B.R.R. Company Survey, A-560, Brazoria County, Texas.

Chairman Hurst opened the public hearing at 7:16 P.M.

William Blake is the owner of the property. The property is for sale and is currently split zoned. He would like it all to be zoned the same for potential buyers.

2. Hold a public hearing to consider amending the Ellwood Planned Unit Development to realign Karsten Boulevard and to allow for 45' wide lots, generally located west of State Highway 288 and south of Davenport Parkway (previously known as C.R. 64) in the northern portion of Brazoria County, just south of the metro Houston area.

Joviano Teixeira; 2430 Davenport Parkway stated that he would like to understand what the plans are for CR 64 with the 120 ft development on the road. He does not feel like it was clear on the plans and would like more information. Dinh Ho; City Engineer responded that Davenport Parkway is designated as minor arterial with an ultimate width of ROW of 120ft, as development occurs and the city or county looks to improve that roadway in the future we would be acquiring

roadway and developing a four lane roadway. Cr 64 (Davenport Parkway) is a designated thoroughfare.

Michael Ferrara; 2538 Davenport Parkway asked for a time span of when the expansion of Davenport will occur. City Engineer; Dinh Ho stated that there is currently no time line.

John Okewunmi; 2510 County Road 758 asked about the expansion of Duke Road and how it would affect his property. He stated the plan shows there to be a retention pond right on his property. He does not agree with the 45 ft lots he personally would like to see 60 ft lots as they are more spacious, and it is in a rural area.

Chairman Hurst closed the public hearings at 7:24 P.M.

ITEMS FOR CONSIDERATION

3. Consider approval of the April 2, 2024 Planning and Zoning Commission Meeting minutes.

Motion made by Hosey to approve the April 2, 2024 Planning and Zoning Commission Meeting Minutes, Seconded by Hayes.

Voting Yea: Johnson, Hurst, Dillon, Hosey, Hayes, Wall, Davis

4. Consider approval of the April 22, 2024 Planning and Zoning Commission worksession minutes.

Motion made by Dillon to approve the April 22, 2024 Planning and Zoning Commission work session minutes, Seconded by Hosey.

Voting Yea: Johnson, Hurst, Dillon, Hosey, Hayes, Wall, Davis

5. Consideration and possible action on a recommendation to City Council concerning rezoning the following property from Single Family Residential to Business and Retail.

Approximately 10 acres of land on County Road 48, South ½ of Lots 190 & 191, Section 66, H.T. & B.R.R. Company Survey, A-560, Brazoria County, Texas.

Motion made by Dillon to recommend approval to City Council for the rezoning of approximately 10 acres of land on County Road 48, South ½ of Lots 190 & 191, Section 66, H.T. & B.R.R. Company Survey, A-560, Brazoria County, Texas from Mixed Use to Business Retail, Seconded by Hayes.

Voting Yea: Johnson, Hurst, Dillon, Hosey, Hayes, Wall, Davis

6. Consideration and possible action to make a recommendation to City Council for the Ellwood PUD Amendment No. 1.

Motion made by Davis to approve Amendment No. 1 to the Ellwood PUD, Seconded by Johnson.

Voting Yea: Johnson, Davis

Voting Nay: Hurst, Dillon, Hosey, Hayes, Wall

7. Consider approval of the Ellwood Detention Reserve A and B Final Plat.

Motion made by Hosey to approve the Ellwood Detention Reserve A, B, and C Final Plats, Seconded by Dillon.

Voting Yea: Johnson, Hurst, Dillon, Hosey, Hayes, Wall, Davis

8. Consider approval of the Ellwood Detention Reserve C Final Plat.

The action was taken during item no. 7.

9. Consider approval of the Replat of a Portion of Lot 64 of the Emigration Land Company Subdivision.

Motion made by Dillon to approve the Replat of a Portion of Lot 64 of the Emigration Land Company Subdivision, Seconded by Wall.

Voting Yea: Johnson, Hurst, Dillon, Hosey, Hayes, Wall, Davis

10. Consider approval of the Sterling Lakes North Section 7 Final Plat.

This item was deferred per developer request.

11. Consider approval of the Sterling Lakes North Section 8 Final Plat.

This item was deferred per developer request.

12. Consideration and possible action for a proposed development of a 13.51-acre tract for multifamily use, as part of the Amendment to the Development Agreement for Sterling Lakes and Sierra Vista.

David Adame with Alliance Residential proposed a 13.51-acre tract development for multifamily use, as part of the Amendment to the Development Agreement for Sterling Lakes and Sierra Vista.

Motion made by Dillon to make a recommendation to City Council for approval of the variance for 25% covered parking and recommendations no. 1 through 5 as provided by staff, seconded by Davis.

Voting Yea: Johnson, Hurst, Dillon, Hayes, Davis

Voting Nay: Hosey, Wall

13. Consideration and possible action to provide a recommendation to City Council for the Plan of Development for the Crystal Entertainment District.

Emily Drake with Kimley Horn provided a presentation on the Crystal Entertainment District. She gave a brief overview of the site, an update to supporting projects, and site elements that have required them to make changes to the site plan.

Motion made by Davis to approve and provide a recommendation to City Council for the Plan of Development for the Crystal Entertainment District, Seconded by Dillon.

Voting Yea: Johnson, Hurst, Dillon, Hosey, Hayes, Wall, Davis


ADJOURNMENT

The meeting was adjourned at 8:49 P.M.

APPROVED THIS 30th DAY OF MAY 2024.



ATTEST:


Kayleen Rosser, City Secretary


David Hurst, Chair

My name is Judy Myers and I have lived in Iowa Colony since 1973. Our property borders CR 63.

Thank you, Ellwood, for the planning document. This is by far the best of several proposals for this challenging site. I have comments on drainage and lot sizes.

All of this site is in the floodplain, as is most of this City. Floodplain maps understate the regularity and duration of flooding on this site. By flooding I mean knee-deep water and livestock not be able to lie down. This site frequently floods over most of its area, with the cattle standing on a little bit of slightly high ground, the owner tractor-ing in round bales or feed for the cows for several days.

I sincerely appreciate the amount of permeable surface and detention in this plan that will soak up some of the water. Will more than a foot of water on almost all of the tract fit into the detention? Will the runoff from Karsten and the interior street go to the detention?

The reason the water stands so long now is that it cannot run off. Despite the best efforts of this developer, the City, the Drainage Commission and other agencies, the natural drainage direction is to the southeast and there simply is inadequate provision for water to go that way.

Before 288 our high water used to sheet away. Now it takes days or over a week for the roadside ditches to drain the properties. Development on the West side of 288 continues to compound the problem. In rainy times, Hayes Creek is often at full capacity and minor flood stage. By the time water from this development winds its way to the larger Hayes Creek, it will often be full.

This is a transition to my next topic, lot sizes. I strongly disagree with a plan to re-zone to permit lots narrower than 60 feet. The zoning commission in its initial work wrestled very hard with the city's lot size decision. I believe any variances for denser housing should be closer to the retail area along CR 57 which seems to be what the City is doing now.

I really like the wide sidewalks and I agree with the developer that front porches and the sidewalks that pass them foster community.

On smaller matters, I see no provision for parking for non-residents to want to visit the parks so I hope the city planners will keep a watch for that as the detailed plans are reviewed.

On page 47 I would prefer that any concrete batch plants be located in the proposed commercial area. These are extremely noxious for residents and leave soil toxins that are better not deposited on homesites or parkland.

I know this session is not for questions, but I see several statements that the areas with houses will not be gated, yet references to "gated" area. What will be gated? Shared greenspace?

Thank you so much for the detailed planning document and for the opportunity to speak to you today.

May 7, 2024

I am Denny Myers. My wife and I have lived on our property in Iowa Colony for 51 years. And I retired from city council and the Planning Commission in 2015.

I truly do appreciate the Developer of Ellwood for doing a great job in drafting their PUD document. And I appreciate the city making it available to all citizens. However, I am concerned about the smaller lot sizes proposed – the 45' and 50' lots. I think of stringing out a 100' tape and saying – "Frontage for 2 homes with 10' to spare?" But, I do appreciate the minimum area of 5400 sq ft for lot size.

My main concern is FLOODING. Which of course is made worse by more roof tops, concrete and less permeable surfaces. But we all know more building will come. We have lived here since 1973. Let me recall some of the history of flooding that we have seen:

- 1) 1979 – Tropical storm Claudette – 30-40" rain in 3 days. Alvin set a US record with 42". We figure we got about 36". But, 288 had not been built in '79. So all of that water on the west side of now 288, flowed as a sheet across the prairie and was soon drained and gone.
- 2) 1983 – Next event – Alicia – major rain and wind - \$2.6 B damage.
- 3) 2001 – Allison – flooded the Medical Center. \$4.8B damage.
- 4) 2005 – Rita – we mainly escaped.
- 5) 2008 – Ike - \$19.3B damages, 84 deaths.
- 6) 2017 – Harvey – our entire area flooded. Nederland, near Pt Arthur got 60.58". Displaced 1.8M people. \$125B damages.

We all remember Harvey. We had built our new house in 2000. And we did not flood. We figure we got about 30" over 4 days. One major reason we did not flood – and I think I recall this correctly – is because of a decision made by our council and our city officials. As I recall, many years ago, the council and our officials discussed flooding. The county said that building 1' above the 100 year flood plain was adequate. Our city, thanks to a shrewd mayor and our experts said we should require 2' above the 100 year flood plain. That decision saved a ton of homes from flooding.

SO.....who protects those of us now living here and those newcomers in the proposed new developments like Ellwood? Well, we have insurance. But, the insurance companies say – “Wind damage from a possible hurricane is too risky! So the STATE with TWIA will need to cover that.” And the state says- “Any flooding is too risky for us. So the FEDERAL government will need to cover that with Flood insurance.”

Although we took 30” of rain in Harvey and our house was fine, our flood insurance doubled in 1 year. So I dropped it. And that insurance company that you paid premiums to for 30, 40, 50 years?....Now they are saying “You are living in too risky of an area. So we are dropping you from coverage!”

SO.....we look to the decisions you make now to protect us. We do not get a second chance. We must get it right this time.

So, while I do appreciate all the work that the developer has put into this proposal. And I do appreciate the work that all the city officials and our experts have done in their review. I am concerned that 45’ and 50’ lots could end up creating too much impermeable surface – roofs, concrete with closer spaced streets. So I would like to see 60’ lots.

Thank you.