

MINUTES OF SPECIAL MEETING  
OF JULY 13, 2004  
CITY COUNCIL OF THE CITY OF MEADOWS PLACE, TEXAS

The special meeting of the Meadows Place City Council was called to order at 7:33 p.m. by Mayor Mark McGrath at Meadows Place City Hall, One Troyan Drive, Meadows Place, Texas, with notice of said meeting giving the time, place, date and subject thereof having been posted as prescribed by Article 6252-17, V.T.A.C.S. with the following members present and in attendance:

Mayor: Mark McGrath

Aldermen: Charles Jessup  
Joe McCann  
David Piwonka  
Leen Zellers

and the following absent:

Alderman: Terry Henley

thus constituting a quorum.

Council received from the Planning and Zoning Commission their recommendations on the CVS Planned Development. Planning and Zoning unanimously voted to approve the zoning request subject to 13 conditions. The conditions are as follows:

- a. CVS shall construct an 8-foot (if allowed) tall wood fence with brick columns and light blocking slats on the back of the fence. This fence shall be constructed on CVS property. CVS shall coordinate the fence construction with the adjacent landowners with assistance from the City of Meadows Place. The landowners will be given the option of retaining their existing fence or having it removed and having their perpendicular fencing tied into the new fence at CVS's expense. The fence shall extend the entire southern and eastern boundaries of the property. CVS shall coordinate with the pipeline owner to determine whether the fencing will be allowed across the pipeline easement. In the event that an 8-foot fence is not allowed by other City requirements, a 10-foot tall fence shall be provided. The 10-foot tall fence should taper down to the existing 8-foot tall fences at the property edges.
- b. The hours of operation shall be restricted to 7 AM to 10 PM, including deliveries.
- c. Garbage pick-up shall be restricted to 7 AM to 10 PM.
- d. Planning and Zoning concurs with the Development Agreement Article 3 (Obligations of the Developer) dated July 6, 2004.
- e. The developer shall provide an additional 5-foot landscape buffer along the Dairy Ashford property line. No parking lot paving or other structures shall be built within the setback. The developer will have the option of creating berms or landscaping or using a combination of berms and landscaping in the area between the streets and the parking lot subject to review and approval by the City of a landscaping plan submitted by the developer.
- f. The development shall be allowed to have drive-thru facilities with speaker boxes.
- g. The parking lot shall be constructed of concrete pavement. Point repairs to the concrete surface shall all be of concrete pavement.
- h. The garbage dumpsters shall be completely enclosed with a wood fence consistent with the property boundary fences.
- i. Meters and utilities shall be screened as much as possible.
- j. All exterior walls shall be brick. Stucco or EIFS may only be used for decorative trim or architectural details.
- k. The City of Meadows Place shall have the right to enforce the deed restrictions of the property.

- I. Lighting shall be designed as to cause the least amount of flooding into residential areas and shall comply with the new Fort Bend County regulations for outdoor lighting. Further, such lighting shall be in conformance with the current version of the National Electrical Code.
- m. Signage for the property and businesses shall comply with the then current regulations and ordinances of the city.

A representative from CVS has agreed in concept with all the recommendations. CVS will work with property owners on the fence issue. Our existing ordinance requires a ten foot fence but P&Z felt that was too high in relation to the sound wall along Dairy Ashford and residents' side fences which are normally six foot. Also a ten foot fence would be too costly to maintain. After a short discussion, Councilmember Jessup made a motion to accept the recommend of the Planning and Zoning Commission concerning CVS. Councilmember McCann seconded this motion which carried unanimously.

Mayor McGrath then read the caption to the following ordinance:

**AN ORDINANCE APPOINTING A REGULAR MEMBER OF THE PLANNING COMMISSION OF THE CITY OF MEADOWS PLACE, TEXAS, (CITY PLANNING AND ZONING COMMISSION) FOR A TERM BEGINNING IMMEDIATELY UPON PASSAGE OF THIS ORDINANCE, AND ENDING ON THE 1ST DAY OF FEBRUARY, 2006, PURSUANT TO THE TERMS AND PROVISIONS OF CHAPTER 24 OF THE CODE OF ORDINANCES OF THE CITY OF MEADOWS PLACE.**

Mayor McGrath announced that a member of the Planning Commission, Jeff Grabert had submitted his resignation due to his moving out of the city. Marti Pattinson has been an alternate member of the commission for the past three years and has attended all meetings. He recommended Council appoint Ms. Pattinson to the regular member position. Councilmember Zellers made a motion, seconded by Councilmember Piwonka to adopt the ordinance, numbered **2004-17**, appointing Marti Pattinson as a regular member of the Planning Commission. The motion carried unanimously.

Bills were presented for ratification of payment. Councilmember Piwonka made a motion to approve the bills to Claunch & Miller, Inc for \$6,495.71 for engineering work and to Ross, Banks, May, Cron & Cavin, P.C. for \$5,361.29 for their legal services. Councilmember Zellers seconded this motion which carried unanimously.

Mayor McGrath said that based on Council's acceptance of P&Z's recommendation, he will instruct our City attorney to draw up a Planned Development agreement for Council to approve on July 27<sup>th</sup>. CVS hopes to close the deal on the land sale by the middle to end of August and to start construction the next day.

During audience comments one resident expressed concern that our children would play in the detention ponds and she is also concerned with their appearance and with the gas line that runs across the property.

There being no further business to consider, Councilmember Zellers made a motion, seconded by Councilmember McCann to adjourn the meeting. With unanimous approval the meeting was adjourned at 8:08 p.m.

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Elaine Herff, City Secretary