



**MINUTES
PLANNING AND ZONING
COMMISSION CITY OF MISSOURI
CITY, TEXAS
April 8, 2020**

1. CALL TO ORDER

The Notice of the Meeting and Agenda having been duly posted in accordance with the legal requirements and a quorum being present, the meeting was called to order by Chair Brown-Marshall, at 7:00 PM.

2. ROLL CALL

Commissioners Present:

Sonya Brown-Marshall
Tim Haney
John O'Malley
Gloria Lucas
Monica L. Rasmus
Courtney Johnson Rose
James G. Norcom III
Hugh Brightwell
James R. Bailey

Commissioners Absent: None.

Councilmembers Present: None

Staff Present:

Otis T. Spriggs, Director of Development Services
Jennifer Gomez, Planning Manager
Thomas White, Planner II
Gretchen Pyle, Interim Planning Specialist
Jeremy Davis, Assistant City Engineer, Public Works
Egima Edwards, Planning Technician
Jamilah Way, First Assistant City Attorney
Glen Martel, Assistant City Manager

Others Present: Daniel Valdez; META Planning, Alvin San Miguel; Sienna by Johnson Development Corp., Nellie Connally, Allen Boone Humphries Robinson, LLP

3. READING OF THE MINUTES

- A. Consider approval of the minutes of the March 11, 2020 Planning and Zoning Commission Meeting.

Motion: Approval of the March 11, 2020 minutes.

Made By: Commissioner Lucas

Second: Commissioner Norcom III

AYES: Commissioner Brown-Marshall, Commissioner Haney, Commissioner O'Malley, Commissioner Bailey, Commissioner Johnson Rose, Commissioner Norcom III, Commissioner Rasmus, Commissioner Lucas

NAYES: None

ABSTENTIONS: Commissioner Brightwell

The motion passed.

4. REPORTS

A. COMMISSION REPORTS

(1) Chairperson of the Planning and Zoning Commission
None.

(2) Planning and Zoning Commissioners
None.

B. STAFF REPORTS

(1) Development Services

a. Director – Census 2020; Fair Housing Month

Otis Spriggs reported that the U.S. Census is now open. The Census is not only a population count, it is an opportunity to shape the future of Missouri City. Data received through the census basically decides where \$675 billion dollars set aside for federal funding is to be allocated each year. The funding influences over 100 programs, of which the City's CDBG (Community Development Block Grant) falls under, operates through the State, region and city. The census count process has set aside various ways for participation online, by phone and by mail. Final date to respond is July 31, 2020. Everyone is encouraged not only to participate, but also become ambassadors in terms of encouraging others to respond to the census.

Mr. Spriggs reported that City Council appointed a Complete Count Committee. The committee has been working diligently to promote the positive benefits of the particular count, while ensuring that individual privacy is upheld at all times.

Mr. Spriggs reported April is National Fair Housing Month. During this time, the community and the nation comes together to celebrate the anniversary of the Fair Housing Act of 1968. Fair Housing is not just an important tool of eliminating discrimination, it also helps strengthen families, communities, businesses, and overall economy.

Mr. Spriggs reported that on April 6, 2020, City Council issued a proclamation proclaiming April as National Fair Housing Month. Efforts of the CDBG committee is recognized, which on the committee participating is Commissioner Dr. Monica Rasmus.

Mr. Spriggs reported that a housing study is being conducted. The study will bring about information identifying marketing housing challenges, and is utilized as a tool by decision makers in moving forward to provide for quality houses.

Mr. Spriggs commended the Commission for upholding fair housing. On behalf of the City's Community Development Coordinator, Chalisa Dixon, CDAC (Community Development Advisory Committee), we virtually acknowledge April as National Fair Housing Month.

(2) Engineering

a. City Engineer – Fort Bend County Drainage District termination of impact fee

Jeremy Davis, Assistant City Engineer, reported on March 16, 2020, City Engineer was notified by Fort Bend County Drainage District that they will no longer charge impact fees to middle Oyster Creek, Flat Bank Creek and Stafford Run Watershed. Due to new ATLAS 14 and additional capacity near those channels.

Mr. Davis reported new developments in the area will be limited to the existing drainage capacity; no new capacity will be made.

(3) Legal

a. First Assistant City Attorney – Update on a proposed Outdoor Art Policy

Jamilah Way, First Assistant City Attorney, reported the Tourism Manager; Sade McAllen, Director of Parks and Recreation; Jason Mangum, Planning Division, and Legal Department had been working on different art regulations for the city. Public Art on public property or private property are two different areas. Private property would be regulated through zoning.

Ms. Way reported that a public art ordinance had been drafted, Chapter 17. The draft will be presented to City Council in May. The ordinance creates a process for selecting art that would be in a City of Missouri City public building or public property in parks, right of ways, or bridges. The state of Texas allows the City to raise funds for capital improvements, which is included in the draft ordinance. There is a proposal to create a commission of professional artist and members of the community. Smaller subcommittees of members from the community would be created as well.

5. PUBLIC COMMENT

None

6. PLATS

A. CONSENT AGENDA

- (1) Consider an application for a preliminary plat for Parkway Crossing Phase 1
- (2) Consider an application for a preliminary plat for Parks Edge Section Nine
- (3) Consider an application for a final plat for Sienna Section 32A and 32B
- (4) Consider an application for a final plat for Sienna Section 39A
- (5) Consider an application for a replat for Parkway Plaza Shopping Center

Chair Brown-Marshall inquired if the PD, Planned Development, for Parkway Crossing Phase 1 had been approved by Council.

Otis Spriggs, Director of Development Services, informed that the PD was a pending request before Council; it will have a second reading next month.

Chair Brown-Marshall inquired if the applicant just wanted to move forward in having the preliminary plat approved, pending full approval of the PD.

Mr. Spriggs responded, "Yes."

Chair Brown-Marshall inquired about the 58 lots on the application for Parks Edge Section Nine and 60 lots shown on the plat.

Vice-Chair Haney stated that the plat was probably showing the correct lots of 60, and the application was incorrect.

Motion: To approve the Consent Agenda.

Made By: Commissioner Haney

Second: Commissioner Lucas

AYES: Commissioner Brown-Marshall, Commissioner Haney, Commissioner O'Malley, Commissioner Bailey, Commissioner Johnson Rose, Commissioner Norcom III, Commissioner Rasmus, Commissioner Lucas, Commissioner Brightwell

NAYES: None

ABSTENTIONS: None

The motion passed

7. ZONING MAP AMENDMENTS

B. PLANNED DEVELOPMENT DISTRICT AMENDMENT

- (1) Public hearing to receive comments for or against a request by Clinton F. Wong, Skymark Development, to amend the general site plan and the regulations contained within PD, Planned Development District No. 81 (Ordinance O-19-01) to allow for the location of an assisted living (institution for elderly persons or physically-impaired persons); and to the extent such

zoning deviates from the Future Land Use and Character map of the Comprehensive Plan, to provide for an amendment therefrom.

- (2) Consider approving a final report on item 7.A.(1).

Jennifer Gomez, Planning Manager, presented the item stating the property is slightly under 40 acres total, at the intersection of Independence Boulevard and FM 1092. Starbucks and Take 5 commercial businesses are located within the PD. Proposed is an assisted independent living complex within the boundaries of the Planned Development District. The independent living use would be considered a multi-family use, currently permitted in the PD.

Ms. Gomez stated the proposed amendment to the PD. No. 81 includes the assisted living use, The site plan as shown does not show the driveway access from the Walgreens site to Independence Blvd. This driveway would be maintained. The proposed assisted living facility would include a three acre tract of land and proposed to be developed as a 3-story building providing 95 assisted living beds as well as 24 units for memory care.

Ms. Gomez stated the independent living use is proposed on an approximate 2.62 acre tract.

Staff's recommendation is to approve the location of the assisted living use within the PD.

Motion: To close the public hearing.

Made By: Commissioner Haney
Second: Commissioner Brightwell

AYES: Commissioner Brown-Marshall, Commissioner Haney, Commissioner O'Malley, Commissioner Bailey, Commissioner Johnson Rose, Commissioner Norcom III, Commissioner Rasmus, Commissioner Lucas, Commissioner Brightwell

NAYES: None
ABSTENTIONS: None

The motion passed

- (2) Consideration of the approval of a final report to City Council on item 7A(1) above.

Motion: The Planning and Zoning Commission forwards a positive report to Council.

Made By: Commissioner Haney
Second: Commissioner Norcom III

AYES: Commissioner Brown-Marshall, Commissioner Haney, Commissioner O'Malley, Commissioner Bailey, Commissioner Johnson Rose, Commissioner Norcom III, Commissioner Rasmus, Commissioner Brightwell

NAYES: None

ABSTENTIONS: Commissioner Lucas

The motion passed

8. ZONING TEXT AMENDMENTS

A. UTILITY EQUIPMENT

- (1) Public hearing to receive comments for or against a possible amendment to Subsection 9.6.B.3.e. of the City of Missouri City Zoning Ordinance regarding the outside storage of major recreational or utility equipment.

Jamilah Way, First Assisted City Attorney, presented the item. The proposed amendment to Appendix A. is for correction to Subsection 9.6.B.3.e. On February 3, 2003, the section was adopted referencing Subsection 12.2.I., an error. The flag reference is to Subsection 12.2.J. Legal recommended adoption of the final report and approval of the amendment.

Motion: To close the public hearing.

Made By: Commissioner Haney
Second: Commissioner Johnson Rose

AYES: Commissioner Brown-Marshall, Commissioner Haney, Commissioner O'Malley, Commissioner Bailey, Commissioner Johnson Rose, Commissioner Norcom III, Commissioner Rasmus, Commissioner Lucas, Commissioner Brightwell

NAYES: None
ABSTENTIONS: None

The motion passed

- (2) Consideration of the approval of a final report to City Council on item 8A(1) above.

Motion: The Planning and Zoning Commission forwards a positive report to Council.

Made By: Commissioner Haney
Second: Commissioner Brightwell

AYES: Commissioner Brown-Marshall, Commissioner Haney, Commissioner O'Malley, Commissioner Bailey, Commissioner Johnson Rose, Commissioner Norcom III, Commissioner Rasmus, Commissioner Brightwell, Commissioner Luca

NAYES: None
ABSTENTIONS: None

The motion passed

9. OTHER MATTERS WITHIN THE JURISDICTION OF THE COMMISSION OR THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE.

A. SIENNA PLANTATION JOINT DEVELOPMENT AGREEMENT

- (1) Consider adopting a recommendation on the general plan and land use for the development of an approximate 34.16 acre tract of land. The proposed area is located north of Sienna Steep Bank Village residential subdivision, south of McKeever Road, east of Sienna Parkway, and west of Westpoint Estates residential subdivision. A petition to disannex the proposed area has been made. The proposed area is presently zoned SD suburban district with SUP, Specific Use Permit No. 193 providing for a temporary construction yard.

Jennifer Gomez, Planning Manager, presented the item. The Sienna Plantation Joint Development Agreement has been the City and developer's agreement that has helped facilitate development of the Sienna master plan community. The presented tract of land is at the intersection of McKeever Road and Sienna Parkway, to the east of intersection. The developer proposed to disannex and repurpose the tract of land for development and marketing opportunities.

The developer proposes single family residential uses consistent with standards in the community.

Ms. Gomez stated the property would have to be annexed into one of the Sienna utility districts to provide utility service for development that would occur.

Any development would be subject to Sienna's overall development agreement, which includes architectural standards and other development regulations consistent with the character seen developed in the Sienna community.

Ms. Gomez stated staff's recommendation to approve for the proposed land use.

Motion: The Planning and Zoning Commission forwards a positive recommendation and final report to Council.

Made By: Commissioner Lucas

Second: Commissioner Norcom III

AYES: Commissioner Brown-Marshall, Commissioner Haney, Commissioner O'Malley, Commissioner Bailey, Commissioner Johnson Rose, Commissioner Norcom III, Commissioner Rasmus, Commissioner Brightwell, Commissioner Lucas

NAYES: None

ABSTENTIONS: None

The motion passed

10. CLOSED EXECUTIVE SESSION

The Planning and Zoning Commission may go into Executive Session regarding any item

posted on the Agenda as authorized by Chapter 551 of the Texas Government Code.

11. RECONVENE

Reconvene into Regular Session and Consider Action, if any, on items discussed in executive session.

12. ADJOURN

Motion: To adjourn

Made By: Commissioner Lucas

Second: Commissioner Johnson Rose

AYES: Commissioner Brown-Marshall, Commissioner Haney,
Commissioner O'Malley, Commissioner Bailey,
Commissioner Johnson Rose, Commissioner Norcom III,
Commissioner Rasmus, Commissioner Brightwell,
Commissioner Lucas

NAYES: None

ABSTENTIONS: None

The motion passed



Egima Edwards
Planning
Technician