



**MINUTES  
PLANNING AND ZONING COMMISSION  
CITY OF MISSOURI CITY, TEXAS  
June 10, 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  
Courtney Johnson Rose  
James G. Norcom III

**Commissioners Absent:** Hugh Brightwell, James R. Bailey,  
Monica L. Rasmus

**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, Adriane Dixon; Fleur De Licious,  
Sowmya Balasubramani; Thomasine Johnson; Farmers Market, Valhalla Clack; Harvest  
Market, Antonio; Fleur De Licious

**READING OF THE MINUTES**

- A.** Consider approval of the minutes of the May 13, 2020 Planning and Zoning Commission Meeting.

**Motion:** Approval of the May 13, 2020 minutes.

**Made By:** Commissioner Haney  
**Second:** Commissioner Lucas

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

**NAYES:** None

**ABSTENTIONS:** None

The motion passed.

**3. 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 –

Otis Spriggs announced, on behalf of the Community Development Division, the new program year of 2020 was being prepared on the HUD (Housing and Urban Development) side in terms of services the City provides to the community. Programs would have to satisfy the HUD national objectives to aid in the prevention and elimination of slum and blight, benefit low to moderate income individuals and to meet urgent needs. The program application process began in May.

Mr. Spriggs announced that students within the Missouri City limits have the ability to apply for scholarships. Agencies serving those individuals described also provide services and are able to compete for contracts with the City. Applications for the Housing Rehabilitation Program for minor repairs of individual homes are open as well.

Mr. Spriggs announced applications are due July 3<sup>rd</sup>. On the upcoming next two Wednesdays at 4:00 pm, virtual sessions will provide an opportunity to have an orientation and presentation on the process.

Mr. Spriggs announced that the action plan will go before Council in August, which the public will be able to provide comments.

- (2) Engineering

a. City Engineer –  
None.

**4. PUBLIC COMMENT**

None

**5. PLATS**

**A. CONSENT AGENDA**

- (1) Consider an application for a preliminary plat for Heritage Park Drive Street Dedication Phase 3

- (2) Consider an application for a preliminary plat for Sienna Oaks Drive Street Dedication Phase 2
- (3) Consider an application for a final plat for Sienna Oak Drive Street Dedication Phase 1
- (4) Consider an application for a final plat for Parks Edge Section 14
- (5) Consider an application for a final plat for Sienna Plantation Section 30
- (6) Consider an application for a final plat for Sienna Plantation Section 34A
- (7) Consider an application for a final plat for Sienna Section 35A
- (8) Consider an application for a final plat for Sienna Section 39A
- (9) Consider an application for Zaineb Shopping Center, being a partial replat of Nova Village Center No. 1

**Motion:** To approve the Consent Agenda.

**Made By:** Commissioner Haney

**Second:** Commissioner Norcom III

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

**NAYES:** None

**ABSTENTIONS:** None

The motion passed

**B. PARKS EDDGE**

- (1) Consider an application for a revised concept plan for Parks Edge
- (2) Consider an application for a preliminary plat for Parks Edge Section Ten
- (3) Consider an application for a preliminary plat for Parks Edge Section Eleven
- (4) Consider an application for a preliminary plat for Parks Edge Section Fifteen

- (1) Consider an application for a revised concept plan for Parks Edge

Jennifer Gomez, Planning Manager, presented the agenda item. Ms. Gomez stated Parks Edge is located east of the city. The revised concept showed the complete buildout of the subdivision. Subject area is zoned PD 95 (Planned Development).

Staff's recommendation was to approve the revised concept plan.

**Motion:** To approve a revised concept plan for Parks Edge

**Made By:** Commissioner Haney

**Second:** Commissioner Lucas

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

**NAYES:** None

**ABSTENTIONS:** None

The motion passed

- (2) Consider an application for a preliminary plat for Parks Edge Section Ten

Jennifer Gomez, Planning Manager, presented the agenda item. Ms. Gomez stated staff's recommendation was to approve.

**Motion:** To approve a preliminary plat for Parks Edge Section Eleven

**Made By:** Commissioner Haney

**Second:** Commissioner Lucas

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

**NAYES:** None

**ABSTENTIONS:** None

The motion passed

- (3) Consider an application for a preliminary plat for Parks Edge Section Eleven

**Motion:** To approve a preliminary plat for Parks Edge Section Ten

**Made By:** Commissioner Haney

**Second:** Commissioner Lucas

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

**NAYES:** None

**ABSTENTIONS:** None

The motion passed

- (4) Consider an application for a preliminary plat for Parks Edge Section Fifteen

**Motion:** To approve a preliminary plat for Parks Edge Section Fifteen

**Made By:** Commissioner Haney

**Second:** Commissioner Lucas

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

**NAYES:** None

**ABSTENTIONS:** None

The motion passed

## 7. ZONING MAP AMENDMENTS

## **8. ZONING TEXT AMENDMENTS**

### **A. MOBILE FOOD UNITS**

- (1) Public hearing to receive comments for or against possible amendments to the City of Missouri City Zoning Ordinance regarding mobile food units.

Jennifer Gomez, Planning Manager, presented the agenda item. Ms. Gomez stated at the direction of Council, we are looking to provide flexibility to allow operations of food units throughout the city. From Council and Commission input, there is a focus on areas in allowing food trucks to operate in centralized locations around the city, and provide some allowance for onsite locations. The Commission has discussed having some type of reservation policy and ensure HOA, (Home Owner Associations) and homeowners would be able to utilize mobile units.

Ms. Gomez stated that amid the pandemic over the last several months, another type of mobile vendor had surfaced for the city; for Missouri City it was a new concept. The City was introduced to a “grocery store on wheels”. Due to the timing of mobile food unit discussions, it may be appropriate to consider this type of mobile vendor and whether or not there would be any desire to make this also allowed throughout the city.

Ms. Gomez stated regulations are in place to allow mobile food units to operate. The City was looking to now create centralized areas to distinguish it from the individual operator that may want to locate a unit. Ms. Gomez stated existing regulations currently in the Zoning Ordinance provide for hours of operation, and are dealt with in the permitting process. Staff is looking to expand those to allow flexibility for the single operator, but create a new land use category for grouping of operators, and locating them in a mobile food unit park.

Ms. Gomez stated for the single operator, staff is looking to take the current regulations in the ordinance, location requirements; hours of operation; signage (placed on the units); trash disposal; operational capacity (i.e. – no seating areas; no portable restrooms, etc.) will be taken from the Zoning Ordinance and relocated to the business section of the City’s Code of Ordinances. This is to allow flexibility on location requirements, Industrial zoning district; construction sites; commercial districts, multifamily residential districts, residential districts for private parties; school sites; special event; city event; public parks; property and home owner associations, at all of these locations the recommendation would be to limit no more than one unit and the unit would have to be placed on a platted lot or reserve.

Ms. Gomez stated for the hours of operation, we hope to provide flexibility and options where mobile food units could be located; the recommendation would be to extend the hours from 6 AM to 10 PM. Current regulations already have these hours applied to construction sites; these would be extended hours for industrial sites. Construction sites, commercial districts, multifamily residential districts, residential districts for private parties would have the same hours. For school site, City events and public parks, hours of operation would be determined based on the event; they would not be restricted to the same hours of operation as the other districts and sites. Mobile units are being proposed to be moved daily offsite.

Ms. Gomez stated on the operational capacity, all existing regulations would remain and still apply to the location of a truck. In summary, those regulations include limitations on placement; cannot be parked in a parking stall; no drive thru service, and may not be located on a parcel adjacent to or within proximity of a mobile food

unit park.

Ms. Gomez stated that the Mobile Food Unit Park regulations would be located in the Zoning Ordinance. Currently the proposal was essentially for the single food unit, no more than one could be located on a site. Any clustering of two or more units would need to be located within a mobile food unit park. The Specific Use Permit would be utilized for the location of a mobile food unit park, providing that it is a platted piece of property. The surface would have to be considered, along with how many mobile parks the community would want to allow for in a certain area. Ms. Gomez stated some communities allow for a minimal distance of trucks to be located from each other.

Ms. Gomez stated that part of the recommendation for the Specific Use Permit would be for a park, designated seating, and minimum number of parking spaces (on site or agreement on an adjacent property). Additional recommendation would be to keep the mobile food unit park fresh, meaning the units would have to change out over time. One unit could be in a park for no more than six months. A 30 day period would have to pass prior the unit relocating to the same site. Ms. Gomez stated there would be a consideration of hours of operation in the same way as an individual unit located on a commercial property, special hours of operation or case by case basis depending upon where a unit is located in the city.

Ms. Gomez stated under staff's recommendation, with some flexibility and parameters, mobile food units would only be located on an independent business or shopping center site with a minimum square footage. An independent business or shopping center would have to be a minimum of 25,000 square feet. Ms. Gomez stated the recommendation for number of units was currently single on a shopping center site or independent business development. In addition, the number of days a food truck could be located within the commercial district was recommended to be, while having to be removed daily from the site, a two week period; they would have to move again.

Ms. Gomez stated on the private party side, staff's recommendation was to limit to no more than one truck for a private party, one time per month. Distance for a mobile food unit for an individual unit to a mobile food truck park would need to be considered.

Ms. Gomez stated for mobile food unit parks, staff's recommendation was to utilize a Specific Use Permit due to the ability to look at site by site cases, must be platted property and paved surfaces.

Ms. Gomez stated that a local grocery store wanted to offer services beyond just delivery to residents in all parts of the city. A mobile vending unit was proposed by the local grocery store.

Commissioner Lucas inquired if mobile food units on commercial sites would move daily and would be at the site for five days.

Ms. Gomez stated that the recommendation would be for them to be moved daily offsite. They could locate on the site for up to two weeks.

Commissioner Lucas inquired if mobile units would be allowed to repeat, or would other food trucks be allowed to come in.

Ms. Gomez stated that was the idea; they could not do it longer than a two week

consecutive period. There would have to be a break in time before they could relocate at the same location.

Commissioner Norcom III inquired if there were two requirements, a single food truck business and a food truck park.

Ms. Gomez replied, "Correct. A food unit in the park would have to comply with the same regulations as an individual unit, except they would be within a park."

Commissioner Norcom III inquired if there would be one park in the city or no less than three or more.

Chair Brown-Marshall stated that the Commission would have to determine that. If specific sites are not determined, then SUPs (Specific Use Permits) would have to be sought; which could take quite some time.

Chair Brown-Marshall inquired about a possible site location.

Ms. Gomez provided examples of possible sites at intersections; grassy area in front of Shipley's Donuts at Texas Parkway and Lexington Boulevard, and Cartwright Road and FM 1092 in front of the Village Walk Shopping Center.

Vice Chair Haney stated his concern regarding the level of feedback needed from the general public to assist the Commission in its decisions.

Ms. Gomez stated there would be a continuance of reaching out, as much as possible, to business owners and food truck owners, affected parties as well as the public to see how much input is received.

Vice Chair Haney stated his concern about the grocery delivery service being lumped in with mobile food trucks. Due to not preparing food, there is a huge distinction between food trucks and grocery delivery.

Commissioner Lucas inquired if the one per month for private parties was per homeowners or per subdivision.

Ms. Gomez replied, "Per homeowner, per property owner."

Commissioner Lucas inquired about the frequency of the mobile food park.

Ms. Gomez stated that it would be with the hours of operation, understanding that would probably be a daily function, based on the organization of the food truck park. Through the Specific Use Permit, those parameters could be set.

Commissioner Lucas inquired about the minimum number of trucks allowed during that time.

Ms. Gomez stated the regulations recommended would put it at two. The park could be defined and exist. A single operator could go within the park or other allowances. The park itself would have a clustering of two or more.

Commissioner Lucas inquired about the determination of which food trucks would be located at the park at that time.

Ms. Gomez stated it would have to be the property owner, unless the City would want

to go into that type of business for economical purposes or other. Otherwise it would be the private property owner. An entity/developer would have to organize the park and make a determination on the mix of trucks, items and activities. The City would permit the unit itself based on the request to locate within the park.

Commissioner Lucas inquired about the allowance of alcohol in the park.

Ms. Gomez stated that was a good question and an alcohol license would be required.

Thomasine Johnson, Farmers Market Partners, spoke on behalf of food trucks. Ms. Johnson stated an issue was the requirement of food trucks having to pay a fee each time they locate at the market, \$55. It scares a lot of the food truck owners away. Most have a yearly license through Fort Bend County. Ms. Johnson inquired about a yearly permit instead of the \$55 payment each time.

Otis Spriggs, Director of Development Services, stated that Council entertained fees back in March. The one year permit was retained with one inspection/routine inspections. Staff continues to work out the process to manage the program; the Fire Marshall's Office is included as well. Additional information is forthcoming in terms of how vendors could apply for the one year permit. The fee scheduled lists that permit at \$200 per year.

Ms. Johnson inquired about the fee for Sugar Land for one year.

Mr. Spriggs stated that he did not have the statistics and information at the present time and would provide the comparisons.

Vice Chair Haney stated that was the type of information that may be missed if the public does not have the opportunity to engage.

Commissioner Lucas inquired about the operation of the farmers market.

Ms. Johnson replied, "It's year around."

Valhalla Clack, PR Director, Trolley Project Manager / Harvest Market, stated that Fort Bend County's flexibility is easier to work with than the guidelines for food trucks in the City. They do not fall into any of the categories mentioned. Ms. Valhalla stated they were seeking flexibility to adhere to the same health permit regulations of the City. There would be no preparation of food on the trolley and non-food items would be on board. Fresh meat would be vacuum packed and seafood would be vacuum packed and frozen. It is completely mobile.

Commissioner Norcom III inquired about being an open air market on wheels.

Ms. Clack stated exactly, they provide situational shopping.

Commissioner Norcom III inquired about the hours and days of operation.

Ms. Clack stated every day, where ever they are permitted. The truck operates from 9 AM to 8 PM currently. Where there are food deserts in the city, they would love to service those areas. Products are not marked up.

Ms. Johnson stated that Harvest Market has had a booth at the Farmers Market since they moved into their location.



Chair Brown-Marshall stated her concerns were location and mobile food trucks having to go through the SUP, Specific Use Permit process. The mobile grocery store is a little different and permitting would need to be different due to not preparing food itself.

**Motion:** To close the public hearing.

**Made By:** Commissioner Lucas

**Second:** Commissioner Norcom III

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

**NAYES:** None

**ABSTENTIONS:** None

The motion passed

Commissioner Norcom III inquired about the agenda item being publicized.

Ms. Gomez stated that the same type of notification is not sent out as a rezoning project because it is a citywide type of discussion. It has mainly been about vendors who have expressed interest or had located in the city for various events. There could be a brainstorming of how to gather more public input. Ms. Gomez stated that it should be driven by community concerns and desires for this type of use, that could be very exciting if the pieces could be put together.

Commissioner Johnson Rose inquired about the Commission making recommendations on fees and stated that a point was made pertaining to Missouri City not being an attractive place for food trucks due to current fees.

Mr. Spriggs repeated his previous statement of a fee study that allowed for a one year permit. New uses and inspections resulting from modifications may trigger additional user fee amendments. It would have to go before Council and will be run parallel on an as-needed basis.

**Motion:** Topic of food trucks, single and multi-location, purposes be sent back to staff to gather more information for future consideration, further investigation as to how the mobile grocery truck can be considered and gather public comments to fill in gaps.

**Made By:** Commissioner Norcom III

**Second:** Commissioner Lucas

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

**NAYES:** None

**ABSTENTIONS:** None

The motion passed

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

**A. IMPACT FEES**

- (1) Consider approving a semiannual report to the City Council on the land use assumptions and capital improvements plan for the Northeast Oyster Creek Sub-watershed, Lake Olympia Parkway Extension and Mustang Bayou Service Area.

Jeremy Davis, Assistant City Engineer, presented the agenda item. Mr. Davis stated the city has three impact fees, Northeast Oyster Creek, Lake Olympia Parkway Extension and the Mustang Bayou Service Area. At the present time, the City Engineering Department was not changing any current impact fees and recommended to keep them as adopted.

**Motion:** To forward a positive recommendation to Council

**Made By:** Commissioner Haney

**Second:** Commissioner Lucas

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

**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 Haney

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

**NAYES:** None

**ABSTENTIONS:** None

The motion passed



---

Egima Edwards  
Planning Technician