



**MINUTES
PLANNING AND ZONING COMMISSION
CITY OF MISSOURI CITY, TEXAS
July 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
Karen Overton
Daniel Silva
Hugh Brightwell
James R. Bailey
Monica L. Rasmus

Commissioners Absent:

Councilmembers Present:

Chris Preston, Councilmember At- Large Position 2

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, Tom Duecker; Jones | Carter, David Sepulveda; Terra Associates, Ryan Moeckel; Texas Engineering and Mapping, Mike Hawthorne; The Pinnell Group

READING OF THE MINUTES

- A.** Consider approval of the minutes of the June 10, 2020 Planning and Zoning Commission Meeting.

- Motion:** Approval of the June 10, 2020 minutes.
- Made By:** Commissioner Lucas
Second: Commissioner Bailey
- AYES:** Commissioner Brown-Marshall, Commissioner Haney, Commissioner O'Malley, Commissioner Overton, Commissioner Lucas, Commissioner Silva, Commissioner Rasmus, Commissioner Bailey
- NAYES:** None
ABSTENTIONS: Commissioner Brightwell

The motion passed.

3. REPORTS

A. COMMISSION REPORTS

- (1) Chairperson of the Planning and Zoning Commission
Welcomed new Commissioners. Next month, former Commissioners Johnson Rose and Norcom III will be recognized.
- (2) Planning and Zoning Commissioners
None.

B. STAFF REPORTS

- (1) Development Services
 - a. Director –
Otis Spriggs announced that a Special Meeting of the Planning and Zoning Commission would be held on Friday, July 10th. Agenda had been posted and a preliminary plat, Heritage Park Drive Street Dedication Phase 3, would be considered. The preliminary plat would be the only agenda item.

Vice Chair Haney inquired about information of the meeting.

Mr. Spriggs stated materials would be provided and the meeting would be held at 6:00 pm.

Commissioner Overton inquired about the meaning of "posted" and if that meant "posted" on the City's website.

Mr. Spriggs replied, "Yes ma'am."

Chair Brown-Marshall stated that the Special Meeting was due to the dates and the timing of submitted applications. The meeting needed to be held. The Commissioners were encouraged to join the meeting.

Vice Chair Haney stated to ensure quorum, a quick poll should be taken.

Chair Brown-Marshall agreed and inquired if any Commissioner would not be able to make it Friday.

Commissioner Brightwell stated that he would do his best and that he

could not guarantee.

Commissioner Silva stated that he should not have any problems.

- (2) Engineering
 - a. City Engineer –
None.

4. PUBLIC COMMENT

None

5. PLATS

A. CONSENT AGENDA

- (1) Consider an application for a preliminary plat for Parks Edge Section Sixteen
- (2) Consider an application for a preliminary plat for Sienna Section 29A
- (3) Consider an application for a preliminary plat for SRSC Missouri City
- (4) Consider an application for a final plat for Parks Edge Section 10
- (5) Consider an application for a final plat for Parks Edge Section 11
- (6) Consider an application for a final plat for Parks Edge Section 15
- (7) Consider an application for a final plat for Parkway Crossing Phase I
- (8) Consider an application for a final plat for Vrindavan Resorts
- (9) Consider an application for a final plat for Fort Bend Community Church
- (10) Consider an application for FBS Business Park, being a replat of South Gessner Road Industrial Park
- (11) Consider an application for Zaineb Shopping Center, being a replat of Nova Village Center (**Withdrawn**)

Motion: To approve the Consent Agenda.

Made By: Commissioner Haney

Second: Commissioner Brightwell

Jennifer Gomez, Planning Manager inquired if the Commissioners received the updated report for agenda item 6.A.(1).

Chair Brown-Marshall and Vice Chair Haney replied, "Yes we did."

Ms. Gomez inquired about the approval being for the updated report.

Chair Brown-Marshall replied, "Yes."

Vice Chair Haney replied, "Correct, understood."

Chair Brown-Marshall inquired about agenda item 6.A.(10) on major conditions of drainage and if staff was confident that the applicant would be able to resolve the conditions.

Ms. Gomez stated she referred to Jeremy Davis, Assistant City Engineer.

Jeremy Davis, Assistant City Engineer, stated the applicant was in the Willow Hole Watershed. When the applicant was applying for the replat, Engineering was in the process of closing out a drainage study for that area. It is close to being finished, somethings needed to be tied up. Once completed, staff would be able to communicate with the applicant exactly what would be required.

Commissioner Brightwell inquired if an outfall was set or was it an issue.

Mr. Davis stated to his knowledge, an outfall was not present. There might have been one prior to the property being bought.

AYES: Commissioner Brown-Marshall, Commissioner Haney, Commissioner O'Malley, Commissioner Overton, Commissioner Lucas, Commissioner Silva, Commissioner Rasmus, Commissioner Bailey, Commissioner Brightwell

NAYES: None

ABSTENTIONS: None

The motion passed

B. SHIPMANS COVE

(1) Reconsider an application for a final plat for Shipmans Cove Section 1

Jennifer Gomez, Planning Manager, presented the agenda item. Ms. Gomez stated Shipmans Cove was approved by the Commissioner back in October of last year, signed and ready for recordation. However, in the months since, the developer continued to work with the utility development, particularly with Centerpoint Energy. It has resulted in a request by Centerpoint Energy for a single utility access for service to the lift station. For the color coded yellow area on the presentation, utility access would be provided. Single access for purposes of utility would not include drainage encumbrances.

Ms. Gomez stated the color coded red and green areas would remain for drainage. The development engineer provided a statement describing the changes, provided in packet. Ultimately, no change to the design and function of the drainage facility. The only change was shifting the reserve and ensuring access to the facility placement, as well as drainage facility.

Vice Chair Haney inquired about if the occurrence was odd; he did not remember it happening in the past.

Ms. Gomez stated in terms of the Centerpoint requirement for a single dedicated easement, no, that was typical. Usually it could be accommodated within an existing reserve. For the plat in question, the location had to be shifted. Due to shifting the location/lines, it needed to be presented to the Commission for approval. Typically when Centerpoint makes the request, it could be provided within an easement already provided.

Commissioner Brightwell inquired about the easement dedication for Centerpoint use only, no other utilities, even though it was a straight aerial.

Ms. Gomez stated the dedication was described as a utilities access. It would be Centerpoint's facility within the reserve.

Commissioner Brightwell inquired the sharing of the easement. Concern was Centerpoint driving the development to the edge of the property line back into the reserve. Commissioner Brightwell inquired about the reserve being increased to include the Centerpoint easement.

Ms. Gomez stated the red area (on the left side of the presentation) shifted into the

yellow on the right side. The red area was the remainder of that land. The land area did not increase. It just shifted to provide access to the lift station, shown in orange, also access to the street.

Commissioner Brightwell inquired about the yellow area being a part of the reserve as labeled.

Ms. Gomez stated it would be a separate reserve. All are individual reserves.

Motion: To approve a final plat for Shipmans Cove Section 1

Made By: Commissioner Haney
Second: Commissioner Lucas

AYES: Commissioner Brown-Marshall, Commissioner Haney, Commissioner O'Malley, Commissioner Overton, Commissioner Lucas, Commissioner Silva, Commissioner Rasmus, Commissioner Bailey, Commissioner Brightwell

NAYES: None
ABSTENTIONS: None

The motion passed

7. ZONING MAP AMENDMENTS

None.

8. ZONING TEXT AMENDMENTS

None.

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

A. SUBDIVISION AND STREET NAMES

(1) Public hearing to receive comments for or against proposed amendments to Chapter 82, of the Missouri City Code, the City Subdivision Ordinance; providing regulations relating to subdivision names and street names.

(2) Consider approving a final report on item 9.A.(1)

Jennifer Gomez, Planning Manager, presented the agenda item. Ms. Gomez stated the item was discussed on the May agenda. Public and Council concerns were discussed regarding existing street and subdivision names within the city and ETJ, Extra Territorial Jurisdiction.

Ms. Gomez stated main concerns that could be heard, nationally as well, surrounded subdivision and street names that may be considered historically offensive to various groups. Vicksburg Subdivision had been used as an example for the last several years. All are familiar with the Battle of Vicksburg. Within the subdivision, street names reference different confederates of the army.

Ms. Gomez stated street names are under the jurisdiction of the Planning and Zoning Commission as a function of the platting process. Plats dedicating new streets are submitted with street and subdivision names by the developer. Standards are limited, Street and Subdivision names are generally determined by the

developer or builder during that platting process. Existing standards naming new streets are from the Platting Manual. Only standards existing are that the developer has to identify name of subdivision on the plat and have to provide an alphabetical list of the proposed names being dedicated by the plat.

Ms. Gomez stated the other standard in place is from the Public Infrastructure Design Manual, the design of placing street names on street signs. The printing and placement of a sign on a pole are governed by the design aspect; maximum number of characters, including spaces, are to be included in proposing street names.

Ms. Gomez stated based on the continued discussion concerning street names, staff was ready to present drafted language, recommending an amendment to the City's Code of Ordinances. On the issue of subdivision names, a discussion on public and private speech was held with Legal and the public. Jamilah [Way] discussed the difference between public and private speech. Generally subdivision names are considered private speech, protected by the first amendment. Proposed regulations would not change or provide a guideline on a developer proposing a new subdivision name.

Ms. Gomez stated staff was proposing guidelines for naming streets, a language change to the Subdivision Ordinance. Regulations just summarized in the Planning Manual and Infrastructure Design Manual would remain and carry over into the new section of the Subdivision Ordinance. Additional general standards would be applied. Ms. Gomez stated general standards would include, name could not be duplicated; similarity of names could not be within close proximity; city naming program that has already been adopted; names may only contain proper names if such has contributed to the community or humanity; names could not be overused; a private street name must include "PRIVATE" or "PVT", and names may not contain a typographic character.

Ms. Gomez stated for the city naming program, a street name can be denied by the Commission if it meets the qualifying reasons, advocates a political party or religion; unsuitable and contrary to community standards or appropriateness; promotes an illegal activity; promotes, suggests, or glorifies violence or acts of a violent nature; demeans, intimidates or maliciously portrays any fender, racial or ethnic group; name would bring disrepute upon the city.

Ms. Gomez stated on proper names, language would be used to target the offensive issue, names that may be historically offensive. Most names discussed, particularly in the Vicksburg Subdivision and some other communities in the city, are names dealing with people, places or events. Language proposed is to try to elevate some of that and to bring into public conversation. Qualifiers would be a name could not be a proper name if it has not had a significant positive impact on the city; has not contributed to the cultural, economic, educational, intellectual, political, or scientific vitality of the community, or it has not made an extraordinary contribution in the service of humanity.

Ms. Gomez stated that the regulation would be under public review. Currently developers only submit a list of street names, which the Commission does not typically see. They see street names printed on the plat. Another checklist would be developed or some type of form where the developer would provide some background as to their thinking in terms of the proposed names. If regulations are adopted, that would be new for the Commission to see. The checklist would be developed and included in the packet so the Commission would have background

knowledge to be able to make a determination on the proposed street names.

Ms. Gomez stated on the issue of overused names, certain words included in street names could be reduced within the city and retired. Overused names include words used in more than 50 street names is a regulation of the City of Houston. Missouri City may need to take it down to 20 street names. Commonly used names in Missouri City and the ETJ are: Plantation (21 times), Green (34 times) and Quail (44 times). Confederate has been used three times.

Ms. Gomez stated private streets had been a discussion of Council recently. There are standards for construction and maintenance of private streets. However, confusion would be elevated as to what might be considered as a public or private street. Moving forward, developers would be required within their allocation to indicate "PRIVATE" on street signs.

Ms. Gomez stated proposed regulations also provided an appeal process. The Commission would continue to act as the authority on approving/disapproving street names through the platting process. In the event the Commission decided to disapprove a street name, the applicant would have an option under the regulations to appeal. The appeal would go through City Council for final determination on the street name. City Council would also review at that point with the appeal, based on the requirements of Chapter 16 that have been adopted for the remake of street names.

Ms. Gomez stated that the process for reviewing street names would continue to be tied to the platting process. The Commission would begin to receive more information and detail for the recommendations included with plats moving forward.

Ms. Gomez stated staff's recommendation was to adopt what was proposed as a final report. It was set to move forward to City Council. Any comments or recommendations could be provided and presented to Council. Due to it being a subdivision change and not a zoning change, the Commission could disapprove or recommend denial/changes. It would still move forward to City Council regardless of the recommendation.

Chair Brown-Marshall inquired about the request for the Commission's decision and about it moving forward to Council regardless of their decision.

Ms. Gomez replied, "Yes." Due to the Commission being the authority of the platting process, they would have to be the ones to implement adopted standards. Any concerns and disagreements would be shared with Council.

Chair Brown-Marshall inquired about the language under "F" referencing "demonstrative".

Ms. Gomez stated that they could work through that kind of language.

Commission Overton inquired about staff providing recommended names to the Commission and at that time the Commission would make the decision to move forward or not.

Ms. Gomez replied, "Yes, that is correct."

Commissioner Overton inquired about the Commissioners time to research prior to

considering a vote if the recommendation is provided.

Ms. Gomez stated that that was a good question. Terms of the process could be discussed.

Jamilah Way, First Assistant City Attorney, stated the Commission would not be able to... due to the Commission being a “quasi-judicial” function. The decision would have to be based off the information the applicant and staff provides.

Ms. Gomez stated that the process was not set up for that type of review. The names are submitted in a list and on a plat, submitted at the time of plat submittal. The process would need to be reviewed to provide some background information, and ensure sufficient time for the Commission to make a determination. The developer could provide something responsive to the requirements. Staff would review, then provide information to the Commission.

Vice Chair Haney stated that it seemed as if they were getting ahead of themselves if questions were unknown. While looking at recommendations, how would the Commission make a determination of what was acceptable and what was not. How could the Commission make a change without understanding the process.

Ms. Gomez stated that the process would be built off the regulations that were adopted. The process would have to be adjusted within the limit.

Commissioner Lucas inquired about staff providing recommendations of names.

Ms. Gomez replied, “Yes, we would.”

Motion:	To close the public hearing
Made By:	Commissioner Haney
Second:	Commissioner Brightwell
AYES:	Commissioner Brown-Marshall, Commissioner Haney, Commissioner O’Malley, Commissioner Overton, Commissioner Lucas, Commissioner Silva, Commissioner Rasmus, Commissioner Bailey, Commissioner Brightwell
NAYES:	None
ABSTENTIONS:	None

The motion passed

Motion:	To forward a negative recommendation to Council
Made By:	Commissioner Lucas
Second:	Commissioner Overton
AYES:	Commissioner Haney, Commissioner Overton, Commissioner Lucas, Commissioner Silva, Commissioner Rasmus, Commissioner Bailey, Commissioner Brightwell
NAYES:	Commissioner O’Malley, Commissioner Brown-Marshall
ABSTENTIONS:	None

The motion passed

Chair Brown-Marshall stated more clarification was needed on the process. Sounds good in theory. It was understood that Council would move forward.

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 Haney
Second:	Commissioner Lucas
AYES:	Commissioner Brown-Marshall, Commissioner Haney, Commissioner O'Malley, Commissioner Overton, Commissioner Lucas, Commissioner Silva, Commissioner Rasmus, Commissioner Bailey, Commissioner Brightwell
NAYES:	None
ABSTENTIONS:	None

The motion passed

Egima Edwards
Planning Technician