



**MINUTES
PLANNING AND ZONING COMMISSION
CITY OF MISSOURI CITY, TEXAS
April 14, 2021**

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 Vice Chairman Haney, at 7:00 PM.

2. ROLL CALL

Commissioners Present:

Sonya Brown-Marshall
Tim Haney – Left meeting after discussion of agenda item 7.A.(1)
Gloria Lucas
Karen Overton
Daniel Silva – Joined after roll call during agenda item 7.A.(1)
Hugh Brightwell
John O'Malley
Monica Rasmus
James R. Bailey – Not present during agenda item 7.A.(1), returned during agenda item 7.B.(1)

Commissioners Absent: None

Councilmembers Present: Councilman Floyd Emery

Staff Present:

Jennifer Gomez, Interim Director, Development Services
Gretchen Pyle, Development Review Coordinator
Egima Edwards, Planning Technician
Ami Moore, Community Development Coordinator
Jeremy Davis, Assistant City Engineer
Shashi Kumar, Director of Public Works
Joseph Quintal, Assistant City Attorney
Glen Martel, Assistant City Manager

Others Present:

Geoff Freeman, LJA Engineering; Laurie Chapa, LJA Engineering; Sheryl Gonzales; Julie Baron; Rena Marshall; Robyn Lacy; Shontele Redeaux; Visham Kunda, Shree Homes; Tamim Artani; Nuvia Cisneros, Terra Associates; Byron

(Last name not available); Brittany Austin; Annette (Last name not available); Carol Gage Andrews; Chad Hamm, First Baptist Church of Houston; Chatri (Last name not available); Ed (Last name not available); Francine Parks; Sherri Gregg; Jake Burgus, TBG Partners; Deborah Ewing; Frank Liu, Lovett Homes; Joe Webb, Webb Architects; Kathy Love-Maxie; Kevin Turiru; Lisa Clay-Scruggs; Mark Bushell; Mary Ross; Maurice (Last name not available); Mishelle Lair-Williams; Phelecia Zilch; Sheila Jones; Ava (Last name not available); Andrew (Last name not available); Kelsey (Last name not available); Malcolm Marshall, First Baptist Church of Houston; Robyn Lacy; Roosevelt & Sandra Shields; Christen Vestal, Vigavi Realty, LLC; Rintus, M. McKinney; Sonya Cobbin; Joel Scott, Terra Mark Ventures; Vivian Turner; Sonya Coven; Wycliffe & Charmaine Bailey; Lisa Clay-Scrubbs; Francine Parker; Julie Byron; Michelle Laird-Williams; Kevin Turini

3. READING OF MINUTES

Chairwoman Brown-Marshall called for a motion to accept the March 10, 2021 Planning and Zoning Commission meeting minutes.

Motion: Approval of the March 10, 2021 meeting minutes.

Made By: Commissioner Brightwell

Second: Commissioner Rasmus

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

NAYES: None.

ABSTENTIONS: None.

The motion passed.

4. REPORTS

A. COMMISSION REPORTS

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

(2) Planning and Zoning Commissioners
None

B. STAFF REPORTS

(1) Development Services
a. Interim Director – Jennifer Thomas Gomez

Jennifer Thomas Gomez acknowledged Egima Edwards, Planning Technician; and Gretchen Pyle, Development Review Coordinator, for the work they put in on the agenda and day to day operations. The agenda was fairly lengthy and they stepped up and have been exceptional in doing what they have done.

b. Community Development Coordinator, Ami Moore - Fair Housing Month

Ami Moore reported on April being the National Fair Housing Month and the city's recommitment to the goal of eliminating housing discrimination to create equal opportunity in Missouri City.

Ms. Moore summarized the Federal Fair Housing Act being Title VIII of the Civil Rights Act of 1968.

Ms. Moore summarized some examples of discrimination under Fair Housing Act. Examples include refusal to negotiate for housing; making housing unavailable; setting different terms, conditions or privileges for sale or rental of a property; persuading owners to sell or rent their home for profit; denying access to or membership in a facility or service related to the sale of housing, and advertising or making any statement that indicates a limitation or preference based race, color, national origin, religion, sex (including sexual harassment), familial status, disability or blindness.

Ms. Moore stated that the City as a recipient of federal and state funding must work to affirmatively further fair housing goals through the city's Comprehensive Plan; CDBG Consolidated Plan, Fair Housing Impediment Study; Housing Study; periodic presentations and public hearings; informational brochures and assistance, and community outreach and workshops.

Ms. Moore stated copies of a recently completed housing study approved by the Community Development Advisory Committee is available for the Commission to review.

Chair Brown-Marshall requested that staff provide copies of the study to the Commission.

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

5. PUBLIC COMMENT
None

6. PLATS

A. CONSENT AGENDA

- (1) Consider an application for a concept plan for Sienna Perry Tract

- (2) Consider an application for a final plat for Sienna Section 29B
- (3) Consider an application for a final plat for Sienna Section 45A
- (4) Consider an application for a final plat for Shipmans Cove Section 2
- (5) Consider an application for a final plat for Hagerson Road Tract Section 3
- (6) Consider an application for a final plat for Parks Edge Section 17
- (7) Consider an application for a final plat for Murphy Village Commercial
- (8) Consider an application for a final plat Himcimcin of Swan Isle
- (9) Consider an application for Sienna Development Center Replat No. 1

Motion: To approve consent agenda

Made By: Commissioner Haney

Second: Commissioner Lucas

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

NAYES: None.

ABSTENTIONS: None.

The motion passed

B. SIENNA

- (1) Reconsider an application for a concept plan for Sienna 3D

Jennifer Thomas Gomez, Interim Director, Development Services, presented the item. Ms. Gomez stated that the original concept plan was approved last September and contained Sections 42 and 43 as well as a Waters Lake Boulevard round-a-bout.

Ms. Gomez stated that the revised concept plan extends the plan boundaries to add a section of Sienna Parkway. Construction to widen Sienna Parkway is anticipated to begin soon. No further changes to the plan were made.

Motion: To approve agenda item 6.B.(1)

Made By: Commissioner Haney

Second: Commissioner Brightwell

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

NAYES: None.

ABSTENTIONS: None.

The motion passed.

- (2) Consider an application for a final plat Sienna Section 43

Jennifer Thomas Gomez, Interim Director, Development Services, presented the item. Ms. Gomez stated the plat meets the requirements for a final plat. The proposed street names were revised and staff recommended approval.

Motion: To approve agenda item 6.B.(2)

Made By: Commissioner Haney

Second: Commissioner Bailey

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

NAYES: None.

ABSTENTIONS: None.

The motion passed.

- (3) Reconsider an application for a final plat for Sienna Section 30

Jennifer Thomas Gomez, Interim Director, Development Services, presented the item. Ms. Gomez stated that the only revision to the plat is to subdivide reserve C. The subdivision is to create two reserves for drainage purposes. No other changes were made.

Motion: To approve agenda item 6.B.(3)

Made By: Commissioner Haney

Second: Commissioner Rasmus

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

NAYES: None.

ABSTENTIONS: None.

The motion passed.

7. ZONING MAP AMENDMENTS
A. SPECIFIC USE PERMIT

- (1) To receive comments for or against a request by Tamim Artani for a SUP, Specific Use Permit to allow for the location of a place of assembly, new church

location; 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.

Jennifer Gomez, Interim Director, Development Services, presented this item. Ms. Gomez stated the property is along Watts Plantation Road, to the east of the entrance to the Manors of Silver Ridge subdivision. The property is currently zoned for single family residential use. The applicant proposes to construct a religious place of assembly.

Ms. Gomez provided a preliminary site plan showing a driveway location and primary worship building to the rear of the property. An existing single-family residence would remain on the property.

Ms. Gomez summarized the staff recommendations to include approval for the SUP and applying all standards of the existing single-family residential zoning except as specified in the report.

Ms. Gomez summarized exceptions provided in the report to include height and area standards, providing for an increased setback from the front yard requirements, and providing for LC-2, local retail district requirements for architectural standards, trash regulations; landscaping, parking, and prohibiting outside placement, storage, sales and services. Staff also recommends that the Commission consider the placement of parking to the rear of the main building.

Chair Brown-Marshall inquired about the 35 feet front yard setback off of Watts Plantation Road. Ms. Gomez replied that the setback would still allow buildings and structures to be fairly close to Watts Plantation Road.

Vice Chair Haney inquired if the building location was beyond or within the 35 feet. Ms. Gomez replied beyond 35 feet on the site plan.

Vice Chair Haney inquired if parking was relocated would the 35 feet be impacted. Ms. Gomez replied that would, yes.

Chair Brown-Marshall inquired if parking was placed in the rear would the 35 feet be considered. Ms. Gomez replied yes. If parking is moved to the rear the minimum front yard would still exceed 35 feet.

Vice Chair Haney inquired if moving parking to rear would move the worship center further away from residence on the other side. Ms. Gomez replied that it would move it closer.

Chair Brown-Marshall inquired about the length of the driveway. Ms. Gomez replied it is an estimate due to being a preliminary, site plan is not to scale. The length may be about 60 feet to 70 feet in length.

Tamim Artani, stated the property was about 5 acres and that the length of the property is about 1,000 feet from Watts Plantation Road to the Fort Bend Parkway. The intention is to build a mosque with a building setback of about 600 to 700 feet from Watts Plantation Road.

Chair Brown-Marshall inquired if the 600 to 700 feet would place the building closer to Watts Plantation Road. Mr. Artani replied yes, per the preliminary site plan. The property is deep.

Chair Brown-Marshall inquired about the amount of activity proposed for the development. Mr. Artani replied that the main assembly happens on Fridays between noon and 1:00 pm. Typically there are between twenty to thirty community members who might visit the site. These numbers would increase due to family growth. The gathering would be similar to a Sunday church service.

Chair Brown-Marshall inquired about the amount of parishioners that would attend. Mr. Artani replied 20 to 30 is usually the beginning amount. Most people who would attend prayer are usually at work during this period. People able to attend often work from home or are off from work.

Chair Brown-Marshall inquired if there is an existing assembly or if this would be new. Mr. Artani replied it would be new. The proposed mosque would be an extension of the current Stafford location.

Commissioner Overton inquired about special events outside with music / sound that may be heard while services are being held. Mr. Artani replied that there would be no music and no sound that could be heard. Prayers are pretty much done within the building, which do not involve musical instruments. Speakers are pretty much inside of building.

Commissioner Overton inquired if chimes can be heard. Mr. Artani replied no.

Commissioner Rasmus inquired about capacity of the building as it currently stands. Mr. Artani replied that the building is being designed for approximately 9,000 square foot building which could accommodate about 300 to 400 people.

Chair Brown-Marshall stated that Watts Plantation Road is a narrow area and inquired if the applicant thought about traffic flow given that it is a two-way road. Mr. Artani replied they conducted a study of the area and understand the layout of Watts Plantation Road. A study was conducted for a property to the east of the site for a separate church on the same road. Most people who attend to pray live in the area, in Sienna, in the Manors of Silver Ridge and further down. Mr. Artani stated they would respect the hours and would cooperate.

Vice Chair Haney asked for confirmation of only Friday services. Mr. Artani replied that Friday is the main day of prayer. The mosque / prayer hall is open throughout the day. There might be between 4 to 10 people arriving throughout the day to pray for about 10 minutes and then they leave. Mr. Artani did not think that traffic would be a concern.

Vice Chair Haney inquired about the quantity of people who show up to pray at the Stafford location. Mr. Artani replied that after 20 years in Stafford the capacity is about 700 people. Pre pandemic, there were about 400 people who came on a Friday. Post pandemic there are about 50 people. This being the month of Ramadan there are about 200 people who show up nightly to pray.

Vice Chair Haney inquired about Brand Lane, a two-way road in Stafford. Mr. Artani replied that Brand Lane extension was completed last year or the year before. A turning lane was added.

Julie Byron, Manors at Silver Ridge, stated that her concern is in regards to traffic due to Watts Plantation Road being only two lanes. Ms. Byron stated that noise from activities would be throughout the week. As their membership builds, activity and traffic will increase.

Michelle Laird-Williams, President, Manors at Silver Ridge homeowners association, stated that her concerns are in regard to increased development along Watts Plantation Road. Ms. Laird-Williams described the community as being very family-friendly. Concerns over traffic were repeated. Ms. Laird-Williams suggested that other commercial sites exists to the east or west where the mosque may be more appropriate than in a residential community. Ms. Laird-Williams expressed concerns with the impact on home values; the safety for children that might be playing in streets.

Deborah Ewing, inquired if the mosque would hold events such as weddings and other events aside from worship.

Chair Brown-Marshall replied the applicant explained that there would might be additional events on different days.

Ms. Ewing stated that she wanted to know what type of events.

Vice Chair Haney replied that he was pretty sure mosques are only for prayers.

Chair Brown-Marshall asked Mr. Artani if mosques hold events such as weddings.

Mr. Artani replied that a mosque is not a party hall and that a mosque operates in a similar manner as other religions. Mr. Artani provided that if someone chooses to get married in a mosque, the ceremony is performed and they then depart.

Ms. Ewing asked for confirmation of the response "yes" to other events will be held.

Kevin Turini, Manors of Silver Ridge, stated there were fundamental issues with the analysis. Mr. Turini provided that the application mentions that 200 plus cars could be present for Friday services however the number of parking spaces shown on the plan is 91 which would be inadequate parking. Mr. Turini expressed concern with street parking on Watts Plantation Road and limited lighting and the possible that people would have to park in adjoining neighborhoods. Mr. Turini repeated traffic concerns and provided that backups occur during the height of afterschool bussing / child pick-up. Mr. Turini opposes the development.

Motion: To close public hearing

Made By: Commissioner Rasmus

Second: Commissioner Overton

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

NAYES: None.

ABSTENTIONS: None.

The motion passed

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

Motion: To forward staff recommendations as presented

Made By: Commissioner Brightwell

Second: Commissioner O'Malley

AYES: Commissioner Silva, Commissioner O'Malley, Commissioner Brightwell

NAYES: Commissioner Brown-Marshall, Commissioner Overton, Commissioner Rasmus, Commissioner Lucas

ABSTENTIONS: None.

The motion failed.

Motion: To disapprove a final report and forward a negative recommendation to City Council

Made By: Commissioner Lucas

Second: Commissioner Rasmus

Commissioner Brightwell inquired if the Commission was required to provide a positive or negative recommendation though the SUP was presented before the public.

Joe Quintal, Assistant City Attorney, replied that a recommendation needs to be made and a vote taken on the SUP.

Motion: To withdraw the motion to disapprove a final report and forward a negative recommendation to City Council

Made By: Commissioner Lucas

Second: None.

AYES: None.

NAYES: None.

ABSTENTIONS: None.

The motion failed.

B. PLANNED DEVELOPMENT DISTRICT

- (1) To receive comments for or against a request by First Baptist Church of Houston to amend PD, Planned Development District No. 35 (Ordinance O-13-28) to allow for the location of an automobile parking lot within tract I-11-21 as designated on Exhibit B; 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.

Jennifer Gomez, Interim Director, Development Services, presented this item. Ms. Gomez stated the property includes tracks to the north and south of Sienna Ranch Road, near the intersection of Sienna Parkway. First Baptist Church of Houston is seeking to amend PD, Planned Development District No. 35 to allow for an expansion to their church campus.

Ms. Gomez stated that the expansion was to include additional buildings with associated parking. This amendment to PD No. 35 would allow for the location of a parking lot that is not contiguous to the church and separated by a private street. The parking lot would be an accessory use to the place of assembly church use. Ms. Gomez stated a parking lot itself is a use by right in LC-4, retail district.

Chair Brown-Marshall asked for confirmation that the parking lot would solely be an accessory for the church use only. Ms. Gomez confirmed.

Commissioner Brightwell inquired about the definition of tract 1-11-21 being associated with the church. Ms. Gomez replied that PD No. 35 has an exhibit that divides acreage different tracts. For instance, Baines Middle School is on one tract; First Baptist Church of Houston and abutting reserves are located on a different tract from that. Each tract has permitted uses associated with it.

Commissioner Brightwell inquired if the church would maintained the private road. Ms. Gomez replied she believed the road is an owned and maintained by the Sienna Property Owners Association or developer.

Commissioner Brightwell inquired about timing of ownership transfer. Ms. Gomez replied no transfer of ownership, unless Sienna sales it. The road is platted as an access reserve. If sold in the future, all properties accessing the road would still have access through the access easement.

Commissioner Brightwell inquired about signage for the mid-walk crossings and stated that his main concern was about maintenance of the signage and stripping.

Chad Hamm, First Baptist Church of Houston, replied that the parking lot would primarily be used on Sunday mornings and that police officers would be stationed at the main crosswalk from the parking lot. The church would also coordinate with the Sienna Property Owners Association for maintenance issues.

Commissioner Lucas inquired if the applicant had spoken with the property owners association (POA). Mr. Hamm replied that they have had the proposal reviewed by

the POA and that they did not have any comments.

Commissioner Overton inquired about the quantity of the additional parking spaces.

Mr. Hamm replied 100 spaces but the overall facility parking would be about 240 spaces.

Chair Brown-Marshall inquired if church services have returned to in person following the pandemic restrictions. Mr. Hamm replied yes.

Motion: To close public hearing

Made By: Commissioner Brightwell
Second: Commissioner Lucas

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

NAYES: None.
ABSTENTIONS: None.

The motion passed

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

Motion: To approve a final report and forward a positive recommendation to City Council.

Made By: Commissioner Rasmus
Second: Commissioner Lucas

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

NAYES: None.
ABSTENTIONS: None.

The motion passed

C. PLANNED DEVELOPMENT DISTRICT

(1) To receive comments for or against a request by Joe Douglas Webb, AIA, Webb Architects to amend PD, Planned Development District No. 96 (Ordinance O-20-16) to revise the site plan and amend the regulations and restrictions including amendments to use regulations, height and area regulations and parking regulations; 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.

Jennifer Thomas Gomez, Interim Director, Development Services, presented this item. Ms. Gomez stated that PD No. 96 is west of the Fort Bend Parkway, north primarily of the Lake Olympia and Vicksburg intersection and east of Parks Edge subdivision.

Ms. Gomez stated that there are no proposed changes to the Land Use Plan. The proposed amendments to PD No. 96 would impact the mid-density residential areas depicted in yellow on the land use plan; the multi-family residential areas depicted in brown; the mixed use and TND areas depicted in green and orange, respectively.

Ms. Gomez stated that the Willow Corporation is working with the PD No. 96 developers on a single-family residential product. They were seeking a deviation to the setback requirements to allow for 20 foot building pads on approximately 40 foot wide lots. The product would provide side yards reduced to 3 feet between buildings and 15 feet minimum front yards.

Ms. Gomez summarized the overall staff recommendation was to approve an amendment to allow for age restricted residential uses where assisted living uses are permitted. On setbacks, the recommendation was not to approve the minimum side yard setback of 3 feet for the single family residential uses but to allow a reduced front yard for the single family residential and the mixed-use areas. For the single family residential allow for a minimum 15 foot front yard; for the mixed-use 2A and 2B areas, allow for a reduced setback to the width of the landscape buffer. Rear yard setbacks for those districts should be maintained.

Ms. Gomez stated that the application includes a request to increase the maximum height for buildings in the mixed use and the traditional neighborhood districts. Currently the districts permit a maximum height of 4-stories or 45 feet. The proposed is to allow for a maximum height of 6-stories or 90 feet. Staff recommends approval of this amendment.

Commissioner Overton requested clarification of the proposed height increase from 4-stories to 6-stories. Ms. Gomez provided clarification.

Commissioner Brightwell requested a definition of Traditional Neighborhood District. Ms. Gomez summarized the description provided by PD No. 96.

Commissioner Brightwell inquired if 90 feet provided more retail below and living spaces above in addition to stacked parking. Ms. Gomez replied that would be correct.

Commissioner Lucas inquired if a group home was mentioned. Ms. Gomez replied no.

Commissioner Brightwell inquired about the age restriction and the city's ability to enforce an age restriction on the use. Ms. Gomez stated that the age restriction would be tied to the assisted living within the mixed-use areas. The intent may also include multifamily areas. The proposed amendments would not affect commercial areas. The age restriction was being proposed to correlate with the requested parking deviations.

Joe Webb, Webb Architects, stated that the parking is tied to the multifamily use and that assisted living is not anticipated at this time. Mr. Webb provided that developers of age restricted facilities have historical data that shows parking requirements are less than a normal multifamily development. That is the driving factor.

Commissioner Brightwell inquired if the request is to have less parking than what is currently required by the ordinance and that the reduction would be supported by data that shows age generates less vehicles. Mr. Webb replied that was correct.

Commissioner Brightwell inquired if this deviation needed to be in a Planned Development ordinance or as an agreement with a reasonable approach of what that is.

Ms. Gomez replied that it needs to be in the Planned Development district in order to apply requirements, particularly on the parking side. The recommendations in the report is what Mr. Webb has described pertaining to parking studies. Any proposed age restricted facility would need to conduct a parking study to provide for the minimum number of parking spaces for a development. The absolute minimum would be 1.1 parking spaces per dwelling unit. Ms. Gomez stated that this would be consistent with other age restricted facilities in the city.

Chair Brown-Marshall inquired about the number of parking spaces if a development was not age-restricted. Ms. Gomez replied that it is scaled according to bedroom type. What is being recommended is to decrease that number of parking spaces required.

Chair Brown-Marshall asked Mr. Webb what led to the anticipation that the number of drivers would decrease. Mr. Webb replied that historical data shows how many persons a car has which per unit is significantly less than a typical multifamily development. Due to a possible medical use in the area, a person may not have to drive to get to medical service. The intent is to develop a village / pedestrian type of area.

Commissioner Brightwell stated that he was okay with the proposed development. He does not agree with the City legislating age restriction to address parking, particularly in a PD where the owner may or may not remain the same in 20 to 30 years. An age-restriction should be a product of the targeted market and not placed in the PD. Second, if the development is walkable, hopefully there would be less cars. If parking becomes an issue then traffic control would be enforced.

Commissioner Brightwell asked the applicant if they were in agreement with the 5 foot side yard setback requirement. Chair Brown-Marshall stated that the city's Fire Department should determine if that could be handled. Commissioner Brightwell stated that concern was of the drainage from the back of lot to the front. It can be difficult between 5 to 6 feet to have a swell for drainage.

Mr. Webb replied they have discussed how utilities, drainage and fire safety issues would be handled. Per the city's adopted building codes, when one hour fire rated walls are provided, the setback can be reduced. Developers are willing to do it and

show that they can.

Commissioner Brightwell asked for confirmation of the staff recommendation for a minimum side yard of 5 foot and not 3 foot. Ms. Gomez replied that is correct, however the Commission could amend that part of the recommendation. Commissioner Brightwell inquired if City Council could amend it. Ms. Gomez replied yes.

Joel Scott, Terramark Ventures, stated that the single family residential product with the reduced setbacks are available throughout Houston. The reduced setback would provide for a wider product. For correction, the proposed product would have a 20 foot building envelope, typically 25 foot building envelope. The proposed layout shows a 40 foot lot but the proposal is for a 32 foot lot. This would allow for a total side yard setback of 7 feet between buildings where 3 feet would be provided on one side and 4 feet on the other. The space would allow for required utilities and drainage. Fire protection will be provided on both side walls.

Ms. Gomez provided that with the clarification stated by Mr. Scott there may be flexibility to the recommendation that the Commission could add to the report.

Mr. Scott stated they were not requesting the City to dictate the age restriction portion as that would be a marketing strategy by the developer. The multifamily use would be in the PD. Mr. Scott asked about the proposed maximum height of 55 feet on multifamily with the current TND requirement 45 feet. Ms. Gomez replied yes.

Sherry Gregg, Olympia Estates, stated that she is concerned about the height change request for the TND and mixed-use. Considering what is in the vicinity of the area, there is nothing that is above 2-stories which would make this development look odd. Ms. Gregg stated that she understands the urban look however, this is in the suburbs and the height would look out of place in the neighborhood. Ms. Gregg stated that she understood the proposed terms based on the explanation provided on the purpose of the district however, she is protesting the heights as proposed.

Motion: To close public hearing

Made By: Commissioner Lucas

Second: Commissioner Brightwell

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

NAYES: None.

ABSTENTIONS: None.

The motion passed

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

Motion: To approve a final report and forward a positive recommendation to City Council with staff recommendations except to strike the reference to age restricted uses for parking and to provide for a general parking reduction of up to 25 percent; and to amend the minimum side yard setback for single family residential uses to 3 feet and not less than 7 feet total for interior lots.

Made By: Commissioner Brightwell

Second: Commissioner Lucas

Commissioner Overton stated she was not comfortable with 6 feet for building height and inquired about visibility.

Commissioner Brightwell provided typically this type of development seeks to have commercial space on the bottom of buildings. After development of commercial, interior parking for the building, studio apartments, and roofing, it is easy to get to 80 to 90 feet in height.

Mr. Webb confirmed and summarized Commissioner Brightwell's explanation.

Mr. Scott asked for confirmation on the 3 foot minimum setback; 7 feet in total not in the 10 feet front setback and not the side setback.

Commissioner Brightwell replied agree that was his intent.

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

NAYES: None.

ABSTENTIONS: None.

The motion passed

D. PLANNED DEVELOPMENT DISTRICT

- (1) To receive comments for or against a request by Vigavi Realty, LLC to zone an approximate 7.5 acre tract of land from LC-3 to PD, Planned Development to allow for an office/warehouse and logistics center; 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.

Jennifer Gomez, Interim Director, Development Services, presented the item. Ms. Gomez described the property location at S Cravens Road and Highway 90A. The preliminary site plan shows plans for a single building office / warehouse with loading docks.

Ms. Gomez summarized staff recommendations by stating the site is currently zoned as LC-3, retail district. Staff recommends approving the PD, Planned Development District to continue to allow for LC-3 uses and to add office /

warehouse uses. The performance standards for the Industrial zoning district would apply to the office/warehouse uses including odor, sound, vibrations, and lighting limitations.

Carol Andrews, Pine Meadow Dr., stated that she is one of the supporters of the development. However, her concern is the traffic flow on Highway 90A and if a traffic light at the intersection will be provided. Many construction vehicles traveling along S Cravens Road are causing safety and access issues. Ms. Andrews asked if a stop sign can be placed at the corner of S Cravens Road and Paloma Bend Drive. Visibility is challenged at the intersection due to uncut vegetation. Ms. Andrews requested consideration for sound barrier walls and inquired about a timeline for completion of the current construction prior to start of the proposed project.

Christen Vestal, Vigavi Realty, LLC, replied that the properties in reference are northeast of their proposed development and are being constructed by a different developer. Ms. Vestal stated that pending this zoning application, they intend to break ground around fourth quarter of the year.

Ms. Andrews inquired about location of entrance and exit for construction vehicles.

Ms. Vestal replied that a construction plan was not available at the moment, however they would be happy to speak with residents to discuss the best options for routing construction vehicles. They want to make sure there is support of the project and neighbors are taken into consideration, especially while under construction. Ms. Andrews replied that she and the residents would really appreciate having that conversation.

Chair Brown-Marshall asked Ms. Vestal if they would also be willing to do a TIA, Traffic Impact Analysis, in order to address concerns regarding stop signs and other matters when she visits with neighbors.

Ms. Vestal replied yes absolutely. She will have their traffic engineer on the call to help address those questions.

Chair Brown-Marshall encouraged Ms. Andrews to contact the City if traffic is not flowing in the way that it should and to engage with their city council person and police.

Motion: To close public hearing

Made By: Commissioner Brightwell

Second: Commissioner Lucas

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

NAYES: None.

ABSTENTIONS: None.

The motion passed

Chair Brown-Marshall inquired about a traffic light.

Jeremy Davis, Assistant City Engineer, stated that a traffic light on US Highway 90A, is not currently included in any plans. The roadway is maintained by TxDOT and consultation with the State would have to occur. Both he and Shashi Kumar, Public Works Director/City Engineer will include the location along S Cravens Rd for consideration of a stop sign as has been pointed.

Chair Brown-Marshall stated that was greatly appreciated. The community understands new projects and that land needs to be developed. However, the community must be treated as good neighbors.

Commissioner Overton recommended that residents also use See, Click Fix, linked from the City's website to report concerns like overgrown vegetation.

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

Motion: To approve a final report and forward a positive recommendation to City Council

Made By: Commissioner Overton

Second: Commissioner Lucas

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

NAYES: None

ABSTENTIONS: None

The motion passed.

E. PLANNED DEVELOPMENT DISTRICT

(1) To receive comments for or against a request by Andrea Metz, Lovett Commercial, to zone approximately 50 acres of land to PD, Planned Development District to allow for a mixed use development to include retail, commercial uses; industrial workspaces; flex office spaces; artist studios; outdoor gathering spaces; indoor recreational facilities and multifamily development; 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.

Jennifer Gomez, Interim Director, Development Services, presented the item. Ms. Gomez stated that the subject site includes land along the frontage of the Creekmont residential subdivision; north and south of Highway 6, east and west of Watts Plantation, and east of North Creekmont. Collectively all pieces total approximately 50 acres.

Ms. Gomez stated that the layout as shown in the conceptual plans was not final and is provided to describe the mix of uses proposed. Some of the uses shown are currently permitted under the existing LC-2, local retail zoning district. Other uses, including the proposed Farmers Market, outdoor venue, flex space office warehouse and multifamily would be in addition to the current permitted uses.

Ms. Gomez stated that the developer's example for the proposed development is a development called Sawyer Yards that is located in the City of Houston. Ms. Gomez summarized how the project would connect with the overall synergy of development activity along Fort Bend Parkway / Highway 6.

Ms. Gomez summarized staff recommendations to approve the PD to allow for a mix of uses as proposed; permit LC-3, retail district uses; MF-2, multifamily district uses; a farmer's market and an event space/place of assembly. The district regulations for the LC-3, retail district are proposed to apply to nonresidential district uses and for the MF-2, multifamily district to residential districts uses.

Andrea Metz, Lovett Commercial, introduced the company by summarizing their vision and highlighting projects that they have been part of within the City of Missouri City. The company has owned the subject acreage for over 15 years. They have been approached over the years with proposals for possible developments, like gas stations. Lovett Company had not believed that the previous proposed uses were best for these properties.

Ms. Metz stated that this application is designed to create something different and representative of the City of Missouri City; to enhance the community and connect to synergy along Fort Bend Parkway / Highway 6 area.

Chair Brown-Marshall inquired about the lifespan of this type of project. Ms. Metz replied that the commitment to do right by the city can be seen in how long they have owned the property and wanted to ensure the right product for the city was developed.

Chair Brown-Marshall replied that longevity was not really known and inquired about what prompted this proposal. Ms. Metz replied that they are committed to creating urban spaces that are pedestrian friendly, active and promote healthy lifestyles for people living in the area.

Chair Brown-Marshall inquired about the type of buffers that will be provided between abutting residential and commercial properties and if it would be along both sides of the street. Ms. Metz replied that they are currently in early design stages and are committed to working with the City to ensure development matches the needs of the community.

Ms. Gomez provided that the minimum requirements for buffers, where the nonresidential uses adjoin the residential property lines would be 20 feet of landscaping in width and a masonry wall if not already provided. Landscape buffers of 20 feet would also be required along street sides of Watts Plantation, Creekmont, and Highway 6.

Chair Brown-Marshall inquired about detention. Ms. Metz replied that they will be

working with their civil engineers to understand where they need to provide detention.

Vivian Turner, Board member, Creekmont Homeowners Association (HOA), expressed concerns with traffic. Ms. Turner indicated that she has frequently visited Sawyer Yards and believes that there is tons of traffic are in that area. Ms. Turner commented that this area was a family dwelling community and is opposition to too much traffic. Ms. Turner expressed that overall the project would have a major impact on the community and that residents would like to keep the current zoning.

Rena Marshall, Vice President, Creekmont HOA, expressed concern about the noticing processes and that more needed to be done to protect the residents' personal information putting them at risk for marketing and crime. Ms. Marshall provided that public notices were dated for April 1st but postmarked on April 5th. Ms. Marshall did not receive it until Friday. Ms. Marshall expressed concern about a Stripes gas station, waste management trucks, lighting and noise issues, multifamily traffic and parking and suggested that a traffic analysis needs to be considered. Ms. Marshall stated that the types of businesses needs to be considered and that property values could decrease.

Sonya Coven, Board Member, Creekmont HOA, stated she appreciated the presentation. It provided insight to what Lovett Commercial was proposing and plans to visit Sawyer Yards. Her biggest concerns for a project surrounding their community is if it would be aesthetically pleasing and if residents would have a seat at the table to provide input and insight when Lovett Commercial meets to share their proposals.

Wycliffe & Charmaine Bailey, stated that they were concerned about potential explosions, such as from the use of chlorine and other industry chemicals. Ms. Bailey stated that the community would be overwhelmed.

Phelecia Zilch, stated that Creekmont is a small, quiet, family community and expressed concern that venues including live music events would generate increased traffic and noise. Ms. Zilch provided that this area may not be the best environment and might be more appropriate for a town center that is being developed less than a mile away.

Mary Ross, expressed an issue with staff's recommendation for MF-2, multifamily zoning and is concerned about that zoning in LC-2, LC-3 zones. Ms. Ross stated concerns for the safety of persons that might want to cross the highway to get to venues on either side. Ms. Ross questioned how the safety of residents and people who attend the venues would be ensured. Ms. Ross stated her opposition to the multifamily concept and requested that the developer meet with the community regularly.

Deborah Ewing, inquired about the timeline of providing a more comprehensive plan and information for the development.

M. McKinney, expressed concerns about drainage, loss of green space and stated that a farmer's market exists further down Highway 6 and that the area could be a park instead.

Lisa Clay-Scrubbs, stated concerns that an increase in noise may result in more persons contacting the police. Ms. Clay-Scrubbs expressed further concern about a brewery being located near homes with children and stated that a dog park was more desirable.

Francine Parker, stated concerns with flooding, too many fast food restaurants, a desire for sit-in and multifamily complex pricing. Ms. Parker reiterated the request for developers to speak with the community.

Motion: To close public hearing

Made By: Commissioner Overton
Second: Commissioner Brightwell

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

NAYES: None

ABSTENTIONS: None

The motion passed

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

Motion: To approve a final report and forward a positive recommendation to City Council

Made By: Commissioner O'Malley
Second: Commissioner Bailey

Commissioner Brightwell summarized the development schedule per staff report; Phase I anticipated completion by spring 2024, includes public / private infrastructure, multifamily and office / commercial. Phase II anticipated completion by winter 2024, includes more public / private infrastructure, commercial and potential outdoors farmer's market. Phase III anticipated completion by fall of 2025, includes more public / private infrastructure and indoor recreational type facility. Final phase IV anticipated completion by summer of 2026, includes final public / private infrastructure and art and dance studios or similar. Commissioner Brightwell commented that the development schedule is not set in stone and that it is fairly aggressive.

Chair Brown-Marshall inquired if ingress / egress would come off of Highway 6.

Ms. Metz replied they are in preliminary stages; a traffic impact study will need to be conducted. They will work with the City to facility ingress and egress that will be most friendly to the community and development.

Chair Brown-Marshall encouraged the applicant to reach out to residents and the

HOA.

Commissioner Overton inquired if the project will be completed in four years.

Ms. Metz replied that the timeline is preliminary only. The development is anticipated to occur upon approvals and as the market demands.

Commissioner Brightwell summarized the city's development schedule requirements for PDs.

Commissioner Bailey stated he encouraged the applicant to be mindful of a need for sound barriers, particularly on the northern portion near the proposed farmer's market and entertainment areas. Commissioner Bailey added that consideration should also be made on the type and density of any multifamily development.

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

NAYES: Commissioner Overton, Commissioner Lucas

ABSTENTIONS: None.

The motion passed

Chair Brown-Marshall encouraged residents of Creekmont to reach out to their City Councilmember and be prepared to attend City Council meeting on May 3rd.

F. PLANNED DEVELOPMENT DISTRICT

- (1) To receive comments for or against a request by H. Paul Dodd, NewQuest Properties to zone an approximate 42.93 acre tract of land to PD, Planned Development District to allow for a retail, commercial development; 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.

Jennifer Gomez, Interim Director, Development Services, presented the item. Ms. Gomez reminded the Commission of their consideration of the Fort Bend Town Center III on the southeast side of the toll road and Highway 6 last month. This item is similar being the Fort Bend Town Center II to include a proposed Cinemark movie theater. The subject site is mostly zoned for LC-3, retail district however an approximate 1.0126 is presently zoned as SD, suburban district. The proposed zoning would allow for LC-3 for the entire shopping center. In addition, a master sign has been submitted for consideration.

As discussed with the Fort Bend Town Center III case, with height of elevated lanes of the Fort Bend Parkway and Highway 6, the proposal would allow for taller signs along the perimeter of the shopping center. The tallest sign is proposed at 70 feet. Sign types B and C as proposed are consistent with what is typically seen along Highway 6. Ms. Gomez described the location of the signs at the various heights as shown in the master sign plan.

Motion: To close public hearing

Made By: Commissioner O'Malley
Second: Commissioner Bailey

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

NAYES: None.
ABSTENTIONS: None.

The motion passed

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

Motion: To approve a final report and forward a positive recommendation to City Council

Made By: Commissioner O'Malley
Second: Commissioner Lucas

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

NAYES: None.
ABSTENTIONS: None.

The motion passed

8. ZONING TEXT AMENDMENTS
None

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

A. Tree Ordinance Committee

(1) Select a member of the Planning and Zoning Commission to serve on the Tree Ordinance Committee

Chair Brown-Marshall stated she would like to nominate Commissioner O'Malley to serve on the Tree Ordinance Committee and asked if any other Commissioners would like to volunteer.

Commissioner O'Malley replied he would be happy to do it.

Commissioners Silva and Overton provided interest to volunteer.

Chair Brown-Marshall stated she would not mind three Commissioners on the committee; however the City Secretary's office will need to confirm number of Commissioner needed to volunteer.

Commissioner Overton stated she will not volunteer; however, she would like the ability to send recommendations to other members that may serve.

Chair Brown-Marshall inquired if all were in agreement with sending Commissioners O'Malley and Silva.

Commissioners Lucas, Silva and Brightwell replied yes.

Commissioner Brightwell inquired since this was an agenda item was a motion required. Replies were yes.

Motion: To select Commissioner O'Malley and Commissioner Silva to serve on the Tree Ordinance Committee

Made By: Commissioner Brightwell

Second: Commissioner Lucas

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

Second: Commissioner O'Malley

Commissioner Brightwell noted that there were about 58 attendees on this remote Planning and Zoning meeting and acknowledged that this level of interest for large zoning amendments was a huge deal to the Commission.

Commissioners commended Chair Brown-Marshall for how she piloted the meeting.

Councilmember Emory commended the Commissioners on behalf of City Council for their diligent evaluation of items brought before them and expressed appreciation to the Commission and their involvement in the growth of Missouri City.

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

NAYES: None

ABSTENTIONS: None

The motion passed

Egima Edwards
Planning Technician