



**PLANNING AND ZONING COMMISSION MINUTES
CITY OF MISSOURI CITY, TEXAS
AUGUST 12, 2015**

1. CALL TO ORDER

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

2. ROLL CALL

Commissioners Present:

Sonya Brown-Marshall
Tim Haney
Len Goff, Jr.
John T. O'Malley
Douglas Parker
Hugh Brightwell

Commissioners Absent: Commissioner Gaspar, Commissioner Rose and Commissioner Anand

Councilmembers Present: None

Staff Present:

Gary Smith, Director of Development Services
Robert Upton, City Engineer
Jennifer Thomas Gomez, Senior Planner
E. Joyce Iyamu, City Attorney
Jose Abraham, Planner I
Samin Bazargan, Planning Intern
Maria Gonzalez, City Secretary

Others Present:

Geoff Freeman	Noe Escobar	Billy Kirkpatrick	Judy Feinstein
James Brown	Janice Kirkpatrick	Dan Richardson	

3. READING OF MINUTES:

Chairman Brown-Marshall called for any corrections or additions to the July 8, 2015, regular Planning and Zoning Commission meeting minutes.

Motion: Approval of the July 8, 2015, meeting minutes.

Made By: Commissioner Brightwell

Second: Commissioner Parker

AYES: Chairman Brown-Marshall, Commissioner Goff, Jr., Commissioner O'Malley, Commissioner Parker and Commissioner Brightwell

NAYS: Vice Chairman Haney

The motion passed.

4. REPORTS

A. COMMISSION REPORTS

- (1) Chairman of the Planning and Zoning Commission
No items to report.
- (2) Planning and Zoning Commissioners
No items to report.

B. STAFF REPORTS

- (1) Director of Development Services
Director of Development Services Smith stated the agenda item to elect officers would be on the next agenda; City Secretary Gonzalez was in attendance tonight as a substitute for Department Office Manager Desobry whom would return to the office on Monday, August 17, 2015; and, noted the City would be the recipient of a prestigious award during the August 17, 2015, regular City Council meeting.
- (2) Planning Representative
No items to report.
- (3) City Engineer
No items to report.

5. PUBLIC COMMENT

There were no public comments.

6. PLATS

A. CONSENT AGENDA

- (1) Consider approval of a revised concept plan for Stonebrook at Riverstone.
- (2) Consider approval of a preliminary plat for Waters Lake Boulevard Section 1 – Street Dedication.
- (3) Consider approval of a preliminary plat for Waters Lake Boulevard Section 2 – Street Dedication.
- (4) Consider approval of a final plat for Pebble Creek at Riverstone Section 1.

Motion: The Planning and Zoning Commission grants conditional approval of the consent agenda.

Made By: Vice Chairman Haney

Second: Commissioner Brightwell

AYES: Chairman Brown-Marshall, Vice Chairman Haney, Commissioner Goff, Jr., Commissioner O'Malley, Commissioner Parker and Commissioner Brightwell

NAYS: None

The motion passed unanimously.

7. ZONING MAP AMENDMENTS

A. PUBLIC HEARING FOR A ZONING MAP AMENDMENT

- (1) Public hearing to receive comments for or against a request by the City of Missouri City on behalf of the Quail Valley Utility District to rezone an approximate 0.9478 acre tract of land from R-2, single family residential district to CF, community facilities district; and to the extent such rezoning deviates from the Future Land Use and Character map of the Comprehensive Plan, to provide for an amendment therefrom. The subject site is located at 3130 N Pebble Beach Dr, north of the Quail Valley El Dorado residential subdivision, south and east of the Quail Valley North residential subdivision and west of the Quail Valley Utility District office.

The public hearing opened at 7:06 p.m. Senior Planner Thomas-Gomez noted this is a City initiated rezoning request on behalf of the Quail Valley Utility District for the subject site located at 3130 N Pebble Beach Dr. from R-2, single family residential district to CF, community facilities district. The Quail Valley Utility District (District) purchased the subject property in November 2014 and presently operates out of an office at 3134 Cartwright Rd., next to the subject property. The subject property was the previous location of a child care center.

The District, similar to the City, is a political subdivision of the State; as such, City Staff was working with the District to establish an appropriate zoning designating and development standards for the use of the subject property. The District has provided an initial demolition plan and a separate drainage plan for development of the subject property. The plans indicate the proposed demolition of the existing house, storage shed and existing concrete. The immediate plans for use of the property was largely to provide additional vehicle access to and from the District's office off Cartwright Rd. The drainage plan, as provided, indicates the connection of the driveway from the subject property to the District' existing office. Both plans indicate provisions to maintain fencing, specifically a wood fence at the rear property line. In addition, both plans indicate the maintenance of existing mature trees.

City Staff forwards a positive recommendation to rezone the subject property from R-2, single family to CF, community facilities district.

Chairman Brown-Marshall asked if City Staff would discuss the driveway connection. Senior Planner Thomas-Gomez stated the District was considering the connection and plans not finalized. City Engineer Upton stated the driveway connection would be addressed from the traffic angle.

Commissioner Brightwell asked when the District demolishes the facility, would it be stabilized and turned into grass. Senior Planner Thomas-Gomez stated the City was in receipt of the driveway plans and, if the facility was demolished, the only plans the City was in receipt of was the drainage and driveway plans. The footprint of where the facility was would possibility be pavement or the driveway connection. Director of Development Services Smith stated the driveway, which currently serves the facility, was too close to a bridge and makes for an undesirable location to enter and exit Cartwright Rd. City Engineer Upton suggested other options for the driveway and noted they would review the options as they become available to the City.

Noting no further comments from the commission, Chairman Brown-Marshall called for any comments from the public.

Dan Richardson, 2502 W. Pebble Beach Dr., expressed his concerns of rezoning the subject property from green space to community facilities. He states the rezoning request would create a mess over time and was recommending to preserve the space. Mr. Richardson also expresses his concerns with the lighting of the facility and suggests screens to assist with masking the brightness of the lights.

Motion: To close the public hearing at 7:16 p.m.

Made By: Commissioner Goff

Second: Commissioner Parker

AYES: Chairman Brown-Marshall, Vice Chairman Haney, Commissioner Goff, Jr., Commissioner O'Malley, Commissioner Parker and Commissioner Brightwell

NAYS: None

The motion passed unanimously.

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

Motion: The Planning and Zoning Commission moved to adopt the final report and forward to City Council with a positive recommendation.

Made By: Commissioner O'Malley

Second: Vice Chairman Haney

AYES: Chairman Brown-Marshall, Vice Chairman Haney, Commissioner Goff, Jr., Commissioner O'Malley, Commissioner Parker and Commissioner Brightwell

NAYS: None

The motion passed unanimously.

B. PUBLIC HEARING FOR A SPECIFIC USE PERMIT

- (1) Public hearing to receive comments for or against a request by Judy Feinstein of The Towne Creek School for a SUP, Specific Use Permit to allow the continued use of an educational place of assembly and for the location of a temporary building to accommodate school programs; and to the extent such rezoning deviates from the Future Land Use and Character map of the Comprehensive Plan, to provide for an amendment therefrom. The subject site is located at 3311 Williamsburg Lane, north of Service King Collision Repair Center, south of Houston Metropolitan Seventh Day Adventist Church, east of La Quinta Inn & Suites and west of Township Square shopping center.

The public hearing opened at 7:19 p.m. Planner Abraham stated the request was for a SUP, Specific Use Permit to allow the continued use of an educational place of assembly and for the location of a temporary building to accommodate school programs. The subject site was located at 3311 Williamsburg Lane, north of Service King Collision Repair Center, south of Houston Metropolitan Seventh Day Adventist Church, east of La Quinta Inn & Suites and west of Township Square shopping center.

The applicant, Ms. Judy Feinstein, owns and operates the Towne Creek School which was an educational place of assembly located on the subject site. The school has been in operation since the early 1980's and at its current location would be considered a nonconforming use. The applicant was considering expanding the existing facility and was seeking to locate a modular building to temporarily accommodate school programs until the future expansion project was complete. The applicant has indicated that the proposed modular building was strictly temporary and would be used under a lease agreement with Mobile Modular Management. The proposed modular building does not comply with Section 7A Architectural Design Standards of the City's Zoning Ordinance.

City Staff has determined that continued use of the subject site as an educational place of assembly was in conformance with the following portions of the Comprehensive Plan: Goal 2.2 focuses on providing "more varied development to move beyond a bedroom community perception of Missouri City," and Goal 2.3 establishes "an ongoing and increasing focus on neighborhood integrity and commercial redevelopments the community continues to mature." The proposed SUP would not amend the existing zoning use district for the subject site and therefore, would be in conformance with the Future Land Use and Character Map which identifies the subject site as Commercial providing for an Auto-Oriented character. City Staff recommends approval.

City Staff also determined all building and structures constructed should comply with the Code of Ordinances of the City of Missouri City including the requirements of Section 7A Architectural Design Standards. Section 7A.3.7 prohibits temporary buildings, except those used as construction trailers. Additionally, Section 7A.2.C.2 requires one hundred percent of exterior walls excluding windows and doors to consider of masonry. Section 7A.2.C.3 requires, in part, the use of approved primary materials (i.e. – brick, stone or architectural masonry units) to make up a minimum of 33% of each exterior wall or 50% of all exterior walls. Section 7A.2.C.4 requires the use of visible pitched roofs or architectural elements with visible pitched roofs for all buildings. As previously provided, the applicant was considering expanding the existing facility and was seeking to locate a modular building to

temporarily accommodate school programs until the future expansion project was complete. A conceptual site plan and elevations of the building have been provided. The modular building was proposed to be located to the rear of the existing building and within a fenced backyard. The existing fence material was wood. The building was approximately 15 feet in height and 1,598 square feet in area. The building would consist of a flat roof and the exterior walls would be clad in stucco. The applicant has not identified specific colors for the building, however a picture has been provided showing the exterior colors to be consistent with a cream façade and brown or tan trim.

City Staff recommends approval of the request to locate the modular building consisting of the proposed design and contingent upon such building being adequately screened from public streets and adjoining properties. Screening was recommended to consist of the existing primary building and/or any existing or proposed fence and landscaping. Further, City Staff recommends establishing a timeframe of 5 years for the use of the modular building on the subject site.

Chairman Brown-Marshall questioned if the temporary building would need to be relocated in order to build a new structure. The applicant stated she believes the temporary building would be further west and the expansion would begin to the east. Chairman Brown-Marshall also asked about the 5 year timeframe for the use of the modular building. The applicant stated the 5 year timeframe was a generous timeframe and would work for her. Director of Development Services Smith stated the 5 year timeframe came as a result of discussions with the applicant.

Motion: To close the public hearing 7:34 p.m.

Made By: Vice Chairman Haney
Second: Commissioner Brightwell

AYES: Chairman Brown-Marshall, Vice Chairman Haney, Commissioner Goff, Jr., Commissioner O'Malley, Commissioner Parker and Commissioner Brightwell

NAYS: None

The motion passed unanimously.

(2) Consideration of the approval of a Final report to City Council on item 7B(1) above.

Motion: The Planning and Zoning Commission moved to adopt the final report and forward to City Council with a positive recommendation.

Made By: Commissioner O'Malley
Second: Vice Chairman Haney

AYES: Chairman Brown-Marshall, Vice Chairman Haney, Commissioner Goff, Jr., Commissioner O'Malley, Commissioner Parker and Commissioner Brightwell

NAYS: None

The motion passed unanimously.

C. PUBLIC HEARING FOR A PLANNED DEVELOPMENT DISTRICT

(1) Public hearing to receive comments for or against a request by Mary Villareal of The Interfield Group, to rezone an approximate 4.019 acre tract of land from R-5, Townhouse residential district to PD, Planned Development District to allow for deviations from Section 7.6.C. Height and area regulations to allow for the development of a townhome residential community; and to the extent such rezoning deviates from the Future Land Use and Character map of the Comprehensive Plan, to provide for an amendment therefrom. The subject site is located north of Bermuda Dunes Villas

subdivision, south of Lexington Place residential subdivision, east of Quail Valley Elementary School and west of Quail Valley North residential subdivision.

Agenda Item 7c(1) was withdrawn at the request of the applicant.

8. ZONING TEXT AMENDMENTS

No zoning text amendments.

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

No other matters to report.

10. ADJOURN

The Planning and Zoning Commission meeting adjourned at 7:35 p.m.

Nancy K. Desobry
Department Office Manager