



**MINUTES
PLANNING AND ZONING COMMISSION
CITY OF MISSOURI CITY, TEXAS
March 13, 2019**

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 Chairman Brown-Marshall, at 7:15 PM.

2. ROLL CALL

Commissioners Present:

Sonya Brown-Marshall
Hugh Brightwell
James G. Norcom III
Gloria Lucas
Ramesh Anand
Douglas Parker

Commissioners Absent: Courtney Johnson Rose, John O'Malley, Tim Haney

Councilmembers Present: None.

Staff Present:

Otis T. Spriggs, Director of Development Services
Jennifer Gomez, Planning Manager
Cliff Brouhard, Assistant Public Works Director
Jamilah Way, First Assistant City Attorney
Thomas White, Planner II
Egima Edwards, Planning Technician
Bill Atkins, Assistant City Manager

Others Present:

Marie Escue / LJA Engineers, Jake Burgus / TBG Partners

3. READING OF THE MINUTES

Chairman Brown-Marshall called for a motion to accept the February 13, 2019 Planning and Zoning Commission meeting minutes.

Motion: Approval of the February 13, 2019 meeting minutes.

Made By: Commissioner Norcom
Second: Commissioner Brightwell

AYES: Commissioner Brown-Marshall, Commissioner Lucas, Commissioner Norcom, Commissioner Brightwell, Commissioner Anand, Commissioner Parker

NAYES: None
ABSTENTIONS: None

The motion passed.

4. REPORTS

A. COMMISSION REPORTS

- (1) Chairman of the Planning and Zoning Commission – No report
- (2) Planning and Zoning Commissioners – No report

B. STAFF REPORTS

- (1) Development Services
 - a. Director – Otis T. Spriggs
None

Planning Manager – Jennifer Gomez

Ms. Gomez presented an overview of the 2018 Planning and Zoning case summary. The full report will be provided to the Planning and Zoning Commissioners by email.

Ms. Gomez informed that the Planning and Zoning Commission saw about the same amount of projects in 2018 that were seen in 2017. The Commission reviewed 103 projects over the course of 2018. The projects included zoning map changes, straight rezoning projects, planned developments, specific use permits, a number of platting activities, 3 parkland dedications, and 2 zoning text changes. On average, the Commission considered about 9 projects per month. One of the busiest months was July.

Ms. Gomez highlighted a couple of projects. Skyway Towers was presented as a Specific Use Permit (SUP) request in July of last year. It was for a tower that would look like an evergreen tree, located in Thunderbird North, on Turtle Creek Dr., in the recreation area near the tennis courts. (A slide of what the tower would like was presented). The Commission provided a positive recommendation in July. It was presented to City Council and was approved in August. The tower was presented again to the

Commission in November, and was conditionally approved for a replat. Ms. Gomez informed that staff is working with the applicant in real time. The plat has been recorded and construction plans are under review.

Ms. Gomez presented a second project, Greenfield Village, the area proposed off of Vicksburg and Truesdale. The project first appeared as a request for a PD, Planned Development District in July, 2018. Based on what was presented, the Commission provided a negative recommendation. The Commission advised that the applicants meet with representatives from the HOA, homeowners association and property owners. Ms. Gomez informed that over a two month period, the applicants reached out to various property owners to try to refine their project. The applicant then narrowed uses proposed to only include a childcare facility, coffee shop, and a multi-purpose room. Upon consideration of a 2nd application in October, the Commission provided a positive recommendation. The City Council held a public hearing and postponed a decision, twice, due to outcome of the November elections. Councilmembers then held a meeting with the applicant the public on December 10th, to try to come to a consensus. City Council considered the item on their December 17th agenda the rezoning failed.

Ms. Gomez informed that the city is continuing to see a lot single family residential developmental. Single-family residential made up 36 percent of all the plats that were presented to the Commission. These included Parks Edge on the eastside of the city, Liberty Ridge in the central area off of Staffordshire, Mustang Trails near the Foodarama shopping center on Cartwright Road and Texas Parkway. Sienna South continues to grow.

Ms. Gomez informed that commercial growth continues to be seen in the business parks. Beltway Crossing West was presented as a plat near FedEx on Cravens Road. This includes four buildings which are presently under building plan review. Oyster Creek Commerce Reserves has lots of commercial development activity that is coming through.

Ms. Gomez informed that presently plats are also submitted for building permit plan review around the same time the Commission is considering them. Most of the 103 applications have continued through the development process.

Ms. Gomez informed that of the parkland dedications, \$93,800 was recommended for approval through the Commission accounting for three dedications. The dedications consisted of Hagerson Road Tract (Riverstone), Murphy Village (FM1092) and Zephyr House (Watts Plantation Road). Ten acres is proposed to be added to one of the park zones over the course of the next few years.

- (2) Engineering
 - a. Assistant Public Works Director – Clifford Brouhard
None

5. PUBLIC COMMENT

None.

6. PLATS

A. CONSENT AGENDA

- (1) Consider approval of a preliminary plat for Sienna Plantation Section 28
- (2) Consider approval of a preliminary plat for Sienna Plantation Section 30
- (3) Consider approval of a preliminary plat for Parks Edge Lift Station
- (4) Consider approval of a final plat for Parks Edge Section 6
- (5) Consider approval of a final plat for Parks Edge Section 7
- (6) Consider approval of a final plat for Park Vista Drive
- (7) Consider approval of a final plat for Pebble Creek North Commercial
- (8) Consider approval of a final plat for HFCU at Sienna

Motion: The Planning and Zoning Commission grant conditional approval of the Consent Agenda.

Made By: Commissioner Brightwell

Second: Commissioner Parker

AYES: Commissioner Brown-Marshall, Commissioner Lucas, Commissioner Anand, Commissioner Brightwell, Commissioner Parker, Commissioner Norcom

NAYES: None

ABSTENTIONS: None

The motion passed

B. SIENNA PLANTATION 3A

- (1) Consider approval of a concept plan for Sienna Plantation 3A Sections 33 A/B/C, 34 A/B, 37, Heritage Parkway C/D, Sienna Oaks Drive A

Thomas White presented this item. Mr. White informed that the item was a concept plan for Sienna Plantation Section 3A. It is located in the ETJ, extraterritorial jurisdiction, south of Plantation River Parkway/Sienna Parkway, east of the Brazos River, and west of Waters Lake Boulevard. The site is approximately 116 acres.

Mr. White indicated that the applicant is still working with the Fort Bend Independent School District on the location of a proposed school. The school site would need to match the land use plan contained in the Sienna Plantation Joint Development Agreement or a major or minor modification might be triggered.

Chair Brown-Marshall asked if the applicant was still working with Fort Bend ISD, was the Commission still able to approve a concept plan.

Mr. White informed that it was his understanding that it could be approved.

Chair Brown-Marshall asked if the applicant clarified the number of sections and lots.

Mr. White informed that they did and that it was 6 sections.

Commissioner Anand asked if Fort Bend ISD was an issue.

Chair Brown-Marshall informed that it was, as they understood it, and that the applicant was still working through that process.

Mr. White informed that the applicant would work with staff and Sienna Plantation.

Commissioner Brightwell informed that it was only a concept. If the concept is approved anticipating that Fort Bend ISD would work it out, then it will stand. If not, it will change.

Ms. Gomez informed that the only issue with the school site is that the land plan that is tied to the development agreement, currently allows for two or three school sites, however, it is not within the area. If a school site is identified for the area, it may trigger a major or minor modification to the land use plan. Ms. Gomez informed that was the only concern. All of the details in terms of the school site creating traffic, would still have to be worked through. There should not be a complication in conditionally approving the concept plan.

Motion: The Planning and Zoning Commission grant conditional approval of the concept plan.

Made By: Commissioner Anand
Second: Commissioner Brightwell

AYES: Commissioner Brown-Marshall, Commissioner Lucas, Commissioner Brightwell, Commissioner Anand, Commissioner Norcom, Commissioner Parker

NAYES: None
ABSTENTIONS: None

The motion passed

Chair Brown-Marshall motioned that the agenda be suspended for the discussion of item **9A**.

Made By as Stated: Commissioner Norcom
Second: Commissioner Lucas

AYES: Commissioner Brown-Marshall, Commissioner Lucas,
Commissioner Brightwell, Commissioner Anand,
Commissioner Norcom, Commissioner Parker

NAYES: None

ABSTENTIONS: None

The motion passed

C. AVALON AT SIENNA PLANTATION SECTION 4

- (1) Consider approval of a preliminary plat for Avalon at Sienna Plantation Section 4

Thomas White presented this item. Mr. White informed that the development is located west of the intersection of Sienna Parkway and Watts Plantation and in the ETJ, extraterritorial jurisdiction. Staff recommends that the Commission grant approval of the preliminary plat conditioned on addressing the noted deficiencies.

Motion: The Planning and Zoning Commission grants conditional approval of a preliminary plat.

Made By: Commissioner Brightwell

Second: Commissioner Anand

AYES: Commissioner Brown-Marshall, Commissioner Lucas,
Commissioner Brightwell, Commissioner Anand,
Commissioner Norcom, Commissioner Parker

NAYES: None

ABSTENTIONS: None

The motion passed

D. PUBLIC HEARING AND CONSIDERATION OF A PARTIAL REPLAT

- (1) Consider approval of Avalon at Sienna Plantation Section 3 Partial Replat No. 1

Thomas White presented this item. Mr. White informed that the subject site is located west of the intersection of Watts Plantation and Sienna Parkway. The development is located in the ETJ, extraterritorial jurisdiction. The purpose of the replat is to reconfigure the lots.

Commissioner Brightwell informed that his notes referenced lots 13 to 18 but that the plat showed lots 1 through 6 in Reserve "A".

Mr. White informed that with the partial replat, the applicant was reorganizing the lot numbers.

Commissioner Brightwell asked if the Commission was looking at the new replat.

Mr. White informed that they were, however, the applicant was reconfiguring the lots.

Chair Brown-Marshall asked if that included the numbers.

Mr. White informed that that was correct.

Motion: To close the public hearing

Made By: Commissioner Anand

Second: Commissioner Norcom

AYES: Commissioner Brown-Marshall, Commissioner Lucas,
Commissioner Brightwell, Commissioner Anand,
Commissioner Norcom, Commissioner Parker

NAYES: None

ABSTENTIONS: None

The motion passed

Motion: The Planning and Zoning Commission grants conditional approval of the partial replat.

Made By: Commissioner Brightwell

Second: Commissioner Parker

AYES: Commissioner Brown-Marshall, Commissioner Lucas,
Commissioner Brightwell, Commissioner Anand,
Commissioner Norcom, Commissioner Parker

NAYES: None

ABSTENTIONS: None

The motion passed

7. ZONING MAP AMENDMENTS
A. PUBLIC HEARING FOR FORT BEND COUNTY WC&ID #2 WASTEWATER TREATMENT PLANT NO. 2

- (1) To receive comments for or against a request to amend Specific Use Permit No. 65 ("SUP"), adopted by Ordinance No.O-86-36 for a waste water treatment plant use, to increase the acres of land contained within the SUP, to provide new conditions to the use subject to the SUP, and to amend the Future Land Use and Character map of the Comprehensive Plan.

Jennifer Thomas Gomez presented this item. Ms. Gomez informed that the item is a request by WC&ID No. 2 to expand the existing SUP, Specific Use Permit. The aerial map presented showed the boundaries that were existing, and approved in the mid-1980s for the location of a sewage treatment plant. The balance of that

would be to the west of the site. The original site is directly off of South Cravens Road. The expanded area extends the site to Echo Creek Drive. Thurgood Marshall High School and Buffalo Run Park are to the south of the site. Park 8Ninety industrial park is being completed to the east of the property. Another office/warehouse project is currently under construction to the north. Two new homes have been constructed off of Echo Creek Drive and there are existing single family residential lots along Echo Creek Drive. The HL&P Centerpoint utility easement is to the north of the site.

Ms. Gomez presented the site plan and informed that the applicant was present to explain the layout. The overall recommendation was to approve the expansion due to the requirements of newer technology. A part of the expansion is to provide for all of the structures and facilities that are needed based on the newer technology. Staff's recommendation overall is to approve the expansion. There are conditions however for the Commission to consider.

For height and area, the underlining zoning is R-6, condominium residential district would generally support the treatment plant design. The tallest shown is the headwaters building with a height at 35 feet. Ms. Gomez informed that it still would be consistent with the surrounding single family residential, the schools and structures in Buffalo Run Park. Staff was not recommending a modification to the height allowance of the R-6 district.

Setbacks however, should be considered to protect those residents that live on Echo Creek Drive. The reduction and/or elimination of odors is considered by the staff recommendation. Staff recommends the provision of a buffer along Echo Creek Drive. The width of the buffer should be the width of the detention area. However, the applicant has since informed that the detention is considered to be a temporary part of the development and would be removed upon improvements being made to the Cangelosi ditch. Instead the applicant indicated that a 20 foot tree buffer, currently not shown on the site plan would be provided.

Ms. Gomez informed that the Commission could amend their staff recommendation to include the 20 foot strip as a buffer yard or as a setback. If recommended as a buffer yard, that would be greenspace and landscaping only; no construction other than a sidewalk or fence structure could be incorporated. If recommended as a building line or building setback, that would mean no vertical construction could go within that area but would not be restricted to just landscaping.

On the architectural design standards the application did not include exterior building elevations. However, a general description of materials was provided. Buildings and structures are proposed to consist of concrete masonry unit (CMU) structures and concrete structures. This is consistent with materials described as masonry. The recommendation was to apply those standards. Additional brick or stone was not required. All masonry materials are recommended to be permitted. However, materials such as metal structures or corrugated metal, etc. that are visible to the general public should be prohibited.

Chair Brown-Marshall asked about the trash screening.

Ms. Gomez informed that for trash disposal, the facility would be completely enclosed. A trash container would be onsite. However, with the screening and positioning of the buildings, residential standards would be applied. This would require the trash disposal area to be screened from view. If a wood fence is constructed then the trash enclosure would be screened by such fence and possibly the buildings and structures. If not a wood fence, staff recommends some opaque type of fencing to screen it from public view.

Ms. Gomez informed that for landscaping, the 20 foot tree buffer previously described could be included. The district has agreed to provide a minimum 8 foot tall wood fence along Echo Creek Drive to include three masonry pilasters. The columns would be placed at one in the middle and two on either end of the property.

Chair Brown-Marshall asked if there was any consideration taken for a masonry fence.

Ms. Gomez informed that staff and the applicants had not discussed the option. Staff usually proposes masonry when there is a nonresidential site adjacent to a residential use. In this case, they are separated by a street. However, the Commission had previously approved a masonry wall to be located on the Echo Creek Drive side of the office/warehouse development under construction to the north of the site. The minimum staff recommendation is a wood fence.

Chair Brown-Marshall asked about the entrance to the facility.

Ms. Gomez informed that access is currently off of South Cravens Road.

Ms. Gomez informed that part of the landscaping recommendation is to place a fence along the Cangelosi ditch side to protect the view from areas to the south for people that are utilizing either the high school fields or the park.

Chair Brown-Marshall asked about the type of opaque fencing that was being suggested.

Ms. Gomez informed that the staff recommendation is for wood fencing that included masonry columns in intervals not to exceed 300 feet and to follow the community fencing standards. The district, however, has not factored in this cost.

For the parking regulations, the applicant has provided a response indicating that the parking will be by employees only and not open to the general public. No more than two to three employees are expected to be onsite at a time. There would be no routine night or holiday work.

Ms. Gomez informed that under the sign regulations, the district had not provided any needs for signage. For the facility, if the nonresidential standards were applied, based on the speed of the roadway, any required signs or desired signs would be appropriate to the character of that area.

Ms. Gomez informed that the report provided to the Commission does discuss odor mitigation; however, there was not a recommendation as the Texas Commission

on Environmental Quality (TCEQ) is the agency that regulates wastewater treatment plants in the state. TCEQ has regulations on how to mitigate odor of these sites and it is a part of the application for construction. Ms. Gomez informed that the applicant would describe how they will accomplish odor control requirements for the current site. City staff is not recommending any additional regulations above the TCEQ requirements.

The anticipated schedule includes completion of the design by July, groundbreaking for construction in December 2019, and the completion of Phase I by July 2022.

William Sheastizado, Jones | Carter project manager, informed that the main access to the site would be from Cravens Road, however there would be access off of Echo Creek Drive as well. The width of the "temporary" detention area is approximately 175 feet. Mr. Sheastizado summarized TCEQ's (Chapter 217) requirements that all facilities and tanks cannot be within 150 feet of a residential or public area.

Mr. Sheastizado informed that the future process basin is designed to be 175 feet from the property line, which is over the 150 foot TCEQ requirement. This distance includes the use of right of ways.

Mr. Sheastizado informed that there would be additional process basins, a metal canopy, and a dumpster, which will be hauled offsite. The design of the facility is to move as much of the odor filled areas of the plant towards Cravens Road to avoid the residential lots.

Commissioner Parker informed that the odor and the proximity to the residential areas were his biggest concerns.

Mr. Sheastizado informed that it was 1,600 foot from the closest residential lot.

Mr. Otis Spriggs asked if the area would be enclosed.

Mr. Sheastizado informed that the building itself would be enclosed and the basins are open.

Commissioner Brightwell asked if everything was open.

Mr. Sheastizado informed that everything was open, except for the building.

Commissioner Brightwell asked if the digesters were covered.

Mr. Sheastizado informed that the digesters would be open.

Commissioner Brightwell asked about the gas recovery, odor control and the plan for an odor control system.

Mr. Sheastizado informed that there was not an odor control system.

Commissioner Brightwell asked about masking, charcoal, bio-filters, and if the prevailing winds are southeast straight over into the residential area.

Mr. Sheastizado informed that was correct and they were trying to limit what was placed on that side of the site.

Commissioner Brightwell informed that the smelliest portion was actually closest to residential with the prevailing wind and asked if there was a plan for canisters for the headworks.

Mr. Sheastizado informed that the questions could be taken to the district.

Commissioner Parker informed that the residents would be affected by the smell.

Mr. Sheastizado informed that the distance was 360 feet away.

Commissioner Brightwell asked about the detention pond would temporary or not.

Mr. Sheastizado informed that there had been previous discussions with city staff and that the indication was that if the expansion of Cangelosi ditch occurs after the wastewater treatment plant is completed, the detention pond may not be needed.

Commissioner Brightwell asked if it was a water detention.

Mr. Sheastizado replied, "Yes".

Mr. Sheastizado informed that their intent was to be on-line prior to the Cangelosi ditch being improved. Therefore, it was needed and required.

Commissioner Brightwell asked if the development was setup for three phases.

Mr. Sheastizado informed that currently they were setup for three phases. Phase three was pending an alternate development.

Commissioner Brightwell asked about the year of 2022 being the completion timeframe.

Mr. Sheastizado replied, yes.

Commissioner Brightwell asked if there were any planning of when the ultimate phase would be built-out.

Mr. Sheastizado informed that there was not a timeline for the completion of the build-out. The timeline could be requested from the district.

Commissioner Brightwell asked about the flow.

Mr. Sheastizado informed that there was an existing lift station off of Cravens Road that pumps to Wastewater Treatment Plant No. 1, located in the City of Stafford. There is a force main that runs along a 300 foot corridor.

Commissioner Brightwell informed that odor would be an issue and would need to be discussed further.

Mr. Sheastizado informed that there were plans for an additional lift station.

Commissioner Brightwell asked about the two larger tanks near the detention pond.

Mr. Sheastizado informed that they would be primary clarifiers if regulations ever determined that they would be needed.

Commissioner Brightwell informed that there were not that many primary clarifiers in the area.

Mr. Sheastizado informed that the district had two.

Commissioner Brightwell informed that they smell.

Mr. Sheastizado informed that the clarifiers were not in the current phase and he was not sure if they would be needed.

Commissioner Brightwell informed that there would be a problem with primary clarifier odors. Placing covers on the clarifiers was not cheap, due to being 100 feet. Commissioner Brightwell recommended that the applicant would need to look at additional odor control on the headworks, which could be worked out with staff. TCEQ does address odor control and the methods that they would allow; however, TCEQ does not guide the applicants on what is considered adequate.

Mr. Sheastizado informed that the entire property was going to be enclosed.

Commissioner Brightwell informed that typically such facilities are fenced using chain-link.

Chair Brown-Marshall asked about the side of the property that faces Thurgood Marshall High School and Buffalo Run Park.

Commissioner Brightwell informed that the distance is far away. Buffalo Run Park barely hits the corner of the site range.

Commissioner Norcom III asked if there were any current plans on the fencing.

Mr. Sheastizado informed that the current proposal was a chain-link type of fence with three strands of barbed-wire per TCEQ criteria. It would have to be an 8 foot tall fence with one strand of barbed-wire.

Commissioner Norcom III informed that it would take a lot of trees and shrubs to hide the inner fence.

Commissioner Brightwell informed that eventually it would be alright by the time the final phase is started, which could be within 15 years.

Mr. Spriggs informed that Echo Creek Drive already had an undisturbed buffering.

Commissioner Norcom III asked who maintained the height of the vegetation.

Commissioner Brightwell informed that a SUP, Specific Use Permit is more prescriptive as oppose to guidelines.

Mr. Sheastizado informed that currently the property they were trying to develop has a wooded area of 20 to 30 feet.

Commissioner Brightwell asked if Echo Creek Drive had overhead power lines.

Mr. Sheastizado informed that the minor areas ran about 1 feet on the other side of their property.

Chair Brown-Marshall asked Mr. Sheastizado if there were any staff comments that he did not agree with.

Ms. Gomez informed that in the response received, the buffer yard was one of the areas of contention, along with the fencing along the Cangelosi ditch. The district was fine with the wood fence at a minimum of 8 foot tall on the Echo Creek Drive side, with the masonry columns. The district was comfortable with everything else.

Mr. Spriggs asked Mr. Sheastizado if they had any issues with the construction traffic being held to Cravens Road.

Mr. Sheastizado replied "no". They will have a crushed concrete road where Cravens Road ends.

Chair Brown-Marshall informed that when it is in clear view, no matter where one is standing along the ditch area, when you look straight across, you would still see a treatment facility and barbed-wire.

Commissioner Anand asked if the neighbors would have to be notified.

Chair Brown-Marshall informed that it was a public hearing.

Commissioner Anand asked if letters were sent out.

Mr. Spriggs responded that notices had been sent out to property owners within 250 feet.

Chair Brown-Marshall asked Mr. Sheastizado if he was ok with Commissioner Brightwell's comments about odor control.

Mr. Sheastizado responded that he was. The applicant and the district would look at the headworks. However, as far as the primary clarifiers, they do not know if that would happen.

Commissioner Brightwell informed that since this is a SUP it would need to be addressed.

Ms. Gomez informed that if the Commission recommended a odor control plan to be submitted and adjusted with the phases, it would be submitted to the utilities manager for review and approval.

Mr. Sheastizado asked if it was acceptable for the buffer requirements at 20 feet or is the recommendation at 170 feet.

Chair Brown-Marshall informed that it was going to be discussed.

Motion: To close the public hearing

Made By: Commissioner Anand

Second: Commissioner Norcom

AYES: Commissioner Brown-Marshall, Commissioner Lucas,
Commissioner Brightwell, Commissioner Anand,
Commissioner Norcom, Commissioner Parker

NAYES: None

ABSTENTIONS: None

The motion passed.

Chair Brown-Marshall informed that staff recommended that the Commission should consider whether a 10 or 20 foot landscape buffer to include the ornamental accent trees and shrubs. The applicant has stated that it would encroach onto the possible future tanks if the additional buffering was added.

Commissioner Brightwell informed that the applicant also stated that they did not know if the tanks would be provided. A side of the clarifiers would be lost if the detention pond had to stay.

Mr. Spriggs informed that if the pond went away, there would need to be an understanding of what would happen to that area.

Commissioner Brightwell informed that currently the detention pond was needed due to the site not being able to handle the drainage. In the SUP, the buffer could be set, pending the final disposition of the detention pond in a future date and with a trigger.

Mr. Spriggs informed that a distance could be set to not go beyond.

Ms. Gomez asked if the Commission was recommending a minimum of 20 feet as purposed with the tree line and not to exceed what.

Commissioner Brightwell asked Mr. Sheastizado what the plan was for disinfection.

Mr. Sheastizado informed that the plan was chlorine gas.

Commissioner Brightwell asked Mr. Sheastizado if they were going to need a mitigation plan.

Chair Brown-Marshall asked Mr. Sheastizado if there were any TCEQ rules about the treatment plant being next to a school. The concern is how far the chlorine gas travels.

Mr. Sheastizado informed of the required risk management plan.

Commissioner Brightwell asked Mr. Sheastizado if they were running 500 or 1 ton cylinders.

Mr. Sheastizado informed that they were running two- 1 ton cylinders.

Commissioner Brightwell asked if they would be placed closer to the school side.

Mr. Sheastizado replied that it would but that CMU with chain-link would be provided.

Chair Brown-Marshall informed that Commissioner Anand's concern was the safety of the children, and asked Mr. Sheastizado how they would explain this to the neighbors in layman terms.

Commissioner Norcom III asked Mr. Sheastizado for an example of the explanation without getting detailed, overall of how the plan would go into effect, and if there were a chlorine leak, what would happen.

Mr. Sheastizado informed that in the chlorine containment building, there would be chlorine sensors and vacuum regulators would shut the cylinder off if a leak is detected. These are standard TCEQ requirements. In addition, there would be one more level of redundancy of an automatic shut-off valve. In case the regulator fails, the valve would be motorized and will close immediately to try to seal off any sort of leak that may occur. There would be a vacuum style system. The chlorine would be pulled and not pushed.

Chair Brown-Marshall asked Mr. Sheastizado if they have completed the same type of proposed development somewhere else.

Mr. Sheastizado indicated that they had; a treatment plant in Montgomery County that was surrounded by residential. That location has a ditch for discharging and a small pipeline easement.

Commissioner Brightwell informed that for the last 15 years, there had been a requirement for a risk management plan and that it must be published.

Commissioner Anand asked if the school was informed of the expansion.

Ms. Gomez responded that the school should have been included in the noticing. Additionally, any rezoning application is typically sent to the school district for their information. The school possibly would have been captured in the 250 foot radius.

Commissioner Norcom III asked if there was going to be regular fencing.

Commissioner Brightwell informed that it was going to be regular barbed-wire.

Ms. Gomez provided that currently there was landscaping on the Echo Creek Drive side however there has not been any discussion of landscaping on the Cangelosi ditch side.

Ms. Gomez informed that Mr. Sheastizado shared that on the Cangelosi ditch side, there was a 30 foot Fort Bend County Drainage District easement that may limit the provisions of landscaping.

Ms. Gomez informed that the original recommendation was for a minimum 8 foot tall wood fence along both the Echo Creek Drive and Cangelosi ditch, with masonry pilasters. The pilasters would be in intervals of no more than 300 feet. Ms. Gomez informed that it was the Cangelosi ditch side that was the question, if it was going to be wood fencing, a strand of barbed-wire would still have to be added on top, or chain-link with the barbed-wire. Ms. Gomez informed that either way, staff's recommendation was if chain-link, it would need some type of screen or vinyl slats so that the view would be closed off from the park and from the school.

Ms. Gomez informed that there was discussion about coating of the fence. It could be a black or green coated fence with the slats matching the fence color.

Chair Brown-Marshall asked about the type of fencing for the west side of the property.

Ms. Gomez informed that that was a 300 foot Centerpoint easement. The chance of that area being developed for another purpose is low.

Commissioner Brightwell asked if the SUP was approved would there be an option down the road if conditions changed. Could there be an amendment?

The Commission consulted with city staff concerning timeframe options and development triggers.

Mr. Sheastizado informed city staff and the Commission that the district would now commit to including a carbon scrubber and closing the headworks and fiberglass reinforced plastic.

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

Motion: The Planning and Zoning Commission forwards a positive recommendation with the following changes; applicant agrees to provide some level of positive odor control to include the district's commitment to include a carbon scrubber and closing the headworks and fiberglass reinforced plastic; fencing on Echo Creek Drive will be a wood fence with three pilasters; the 20 foot tree buffer that is already in place will remain; powder coated chain link fencing with slats and barbed-wire in one color of black or green is required

on the Cangelosi Ditch side; the SUP must be reconsidered prior to the beginning of phase 3; and a 150 foot minimum building line.

Made By: Commissioner Brightwell
Second: Commissioner Lucas

AYES: Commissioner Brown-Marshall, Commissioner Lucas, Commissioner Brightwell, Commissioner Anand, Commissioner Norcom, Commissioner Parker

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. DEVELOPMENT AGREEMENTS

- (1) Consideration of the adoption of a recommendation to the City Council on a proposed amendment to the Sienna Joint Development Agreement.

Ms. Jennifer Thomas Gomez presented the item and informed that it was a proposed 10th amendment.

There was a summary of all of the previous amendments in the report. This amendment is to clarify language, specifically from the 3rd, 7th, and 9th amendments as it pertains to the Tract "G". This is the area that is being developed as Avalon, just south of the Fort Bend Parkway, west of Sienna Parkway, and north and south of Watts Plantation. When the Commission considered a concept plan on the area in July 2018, there was conflicting language regarding the maximum number of single family residential lots that could be developed. One section of the agreement indicated that residential lots in Sienna North could not to exceed 7,000 units, however a chart indicated that no more than 400 single-family units could be constructed in Tract "G". The proposed Avalon Sections 3, 4 and 5, would have exceeded the 400 number but still kept the total Sienna North number under 7,000 units.

This proposed amendment removes the reference to not to exceed 7,000 units The chart would, as it pertains to tract "G", would provide for no more than 450 single family residential units.

The applicant has revised the land use plan as it pertains to Tract "G" to show the development of approximately 424 single family lots. Avalon Section 4, which is on the agenda to consider, would basically build out the remaining single family allocation within the area.

Commissioner Brightwell asked if Article I of the amendments were only for major / minor modifications. Roman numeral "V" was about any change in multi-family use that would

result in a net increase to the units or acreage dedicated to such uses was under a major modification.

Chair Brown-Marshall asked if it should.

Ms. Gomez informed that that was correct. There was an allocation of no more than 700 multi-family units. That would be in the areas marked as mixed-use. One apartment complex is currently under construction on the east side of Sienna Parkway in this area.

Commissioner Brightwell clarified that basically major modifications meant that the developer would have to come back before the Commission and minor meant that it could be done administratively.

Ms. Gomez informed that that was right.

Ms. Gomez informed that it was consistent with the 8th amendment for Sienna South so that there was some flexibility in the plan. Otherwise, every little change in the land use plan would have to be presented before the Commission.

Motion: The Planning and Zoning Commission forwards a positive recommendation to the City Council on this proposed amendment to the Sienna Joint Development Agreement.

Made By: Commissioner Brightwell
Second: Commissioner Norcom

AYES: Commissioner Brown-Marshall, Commissioner Lucas, Commissioner Brightwell, Commissioner Anand, Commissioner Norcom, Commissioner Parker

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



Egima Edwards
Planning Technician