



**MINUTES  
PLANNING AND ZONING COMMISSION  
CITY OF MISSOURI CITY, TEXAS  
August 14, 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 Chair Brown-Marshall, at 7:00 PM.

**2. ROLL CALL**

**Commissioners Present:**

Sonya Brown-Marshall  
Tim Haney  
John O'Malley  
James R. Bailey  
Monica L. Rasmus  
James G. Norcom III  
Gloria Lucas  
Courtney Johnson Rose  
Hugh Brightwell

**Commissioners Absent:** None

**Councilmembers Present:** Anthony G. Maroulis, Floyd Emory

**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  
James Santangelo, Assistant City Attorney  
Thomas White, Planner II  
Gretchen Pyle, Interim Planning Specialist  
Egima Edwards, Planning Technician  
Glen Martel, Assistant City Manager  
Shashi Kumar, Director of Public Works  
Jeremy Davis, Assistant City Engineer

**Others Present:** Please see attached sign-in sheet.

**3. ELECTION OF OFFICERS**

Consider electing a Chairman, Vice Chairman, and an Assistant Secretary of the Planning and Zoning Commission

**Election of Chairperson:** To elect Chairperson Sonya Brown-Marshall to remain.

**Made By:** Commissioner Haney  
**Second:** Commissioner O'Malley

**AYES:** Commissioner Haney, Commissioner O'Malley, Commissioner Bailey, Commissioner Norcom III, Commissioner Rasmus, Commissioner Lucas, Commissioner Johnson Rose, Commissioner Brightwell

**NAYES:** None  
**ABSTENTIONS:** None

The election passes.

**Election of Vice Chairperson:** To elect Vice Chairperson Tim Haney.

**Made By:** Commissioner O'Malley  
**Second:** Commissioner Johnson Rose

**AYES:** Commissioner Haney, Commissioner O'Malley, Commissioner Bailey, Commissioner Norcom III, Commissioner Rasmus, Commissioner Lucas, Commissioner Johnson Rose, Commissioner Brightwell

**NAYES:** None  
**ABSTENTIONS:** None

The election passes.

**Election of Assistant Secretary:** To elect Assistant Secretary John O'Malley

**Made By:** Commissioner Haney  
**Second:** Commissioner Johnson Rose

**AYES:** Commissioner Haney, Commissioner O'Malley, Commissioner Bailey, Commissioner Norcom III, Commissioner Rasmus, Commissioner Lucas, Commissioner Johnson Rose, Commissioner Brightwell

**NAYES:** None  
**ABSTENTIONS:** None

The election passes.

#### 4. READING OF THE MINUTES

Chair Brown-Marshall called for a motion to accept the July 10, 2019 Planning and Zoning Commission Special Meeting minutes.

- Motion:** Approval of the July 10, 2019 Special Meeting minutes with corrections.
- Made By:** None
- Second:** None
- AYES:** Commissioner Brown-Marshall, Commissioner Haney, Commissioner O'Malley, Commissioner Bailey, Commissioner Norcom III, Commissioner Rasmus, Commissioner Lucas,
- NAYES:** None
- ABSTENTIONS:** Commissioner Johnson Rose, Commissioner Brightwell,

The motion passed.

#### 5. REPORTS

##### A. COMMISSION REPORTS

- (1) Chairperson of the Planning and Zoning Commission – None.
- (2) Planning and Zoning Commissioners –  
Commissioner Brightwell reported that he attended the Parliamentary Workshop hosted by the City of La Porte, TX, on July 18, 2019. La Porte City Secretary, Lee Woodward and her team held the session. It was a good reminder of how to try to follow the rules of order; Robert's Rules of Order. Commissioner Brightwell informed that he provided copies of a quick cheat sheet, particularly motions, for the Commissioners future use.

Commissioner Bailey reported that he also attended the Parliamentary Workshop.

##### B. STAFF REPORTS

- (1) Development Services
  - a. Director – Otis T. Spriggs

Reported that a case that was originally published to be on the agenda, De Vu – PD, located in Lake Olympia, had been postponed until the next meeting session of the Planning and Zoning Commission on September 11, 2019 at 7:00 pm.

Mr. Spriggs introduced Glen Martel, new Assistant City Manager; over the Development Services, Parks, and Public Works Departments. Mr. Martel is from the Nevada area, where he was a part of the Nevada Air National Guard; the Air Force, with vast experience in planning and development.

- (2) Engineering
  - a. Assistant Public Works Director – Clifford Brouhard

Introduced the new Assistant City Engineer, Jeremy Davis. Mr. Davis previously worked at the Department of Transportation, TxDot, and is a citizen of Missouri City, where he has lived and was raised his entire life.

**6. PUBLIC COMMENT**

None.

**7. PLATS**

**A. CONSENT AGENDA**

- (1) Consider approval of a preliminary plat for Life Time at Missouri City
- (2) Consider approval of a preliminary plat for Sienna Plantation Section 17B
- (3) Consider approval of a preliminary plat for Heritage Park Drive Bridge –Street Dedication
- (4) Consider approval of a final plat for Heritage Park Drive Phase 1 –Street Dedication
- (5) Consider approval of a final plat for Sienna Section 18
- (6) Consider approval of a final plat for Sienna Plantation Section 40B
- (7) Consider approval of a final plat for Sienna Plantation Section 41

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

**Made By:** Commissioner Haney  
**Second:** Commissioner Norcom III

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

**NAYES:** None

**ABSTENTIONS:** None

The motion passed

**Motion:** To revisit item (1) of the Consent Agenda

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

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

**NAYES:** None

**ABSTENTIONS:** None

The motion passed

(1) Consider approval of a preliminary plat for Life Time at Missouri City

Development Services Director, Otis Spriggs, presented this item. Mr. Spriggs informed that on behalf of the City Engineer, item 2(F) was added to the report providing a condition as follows: *"A drainage outfall and drainage easement are required to be dedicated with a final plat application."*

**Motion:** The Planning and Zoning Commission grants conditional approval of item (1) of the Consent Agenda as amended.

**Made By:** Commissioner Haney  
**Second:** Commissioner O'Malley

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

**NAYES:** None

**ABSTENTIONS:** None

The motion passed

**B. PUBLIC HEARING AND CONSIDERATION OF A REPLAT**

(1) Consider approval of Camden Park Townhouses Replat of Lot 6

Interim Planning Specialist, Gretchen Pyle, presented this item. Ms. Pyle informed that the purpose of the replat for lot 6 was to divide it into two lots. A public meeting is being held due to it being a residential replat.

Vice Chair Haney informed that an error of the application was that the applicant marked commercial; which was confusing, and clarification was needed that it was residential.

Ms. Pyle confirmed that it was residential.

The father of the applicant, Armando Arias, informed that the plat was supposed to be for townhomes. They are building two houses; therefore, the land needed to be separated.

**Motion:** To close the public hearing

**Made By:** Commissioner Haney

**Second:** Commissioner Johnson Rose

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

**NAYES:** None

**ABSTENTIONS:** None

The motion passed

**Motion:** The Planning and Zoning Commission grants conditional approval of a replat.

**Made By:** Commissioner Haney

**Second:** Commissioner Brightwell

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

**NAYES:** None

**ABSTENTIONS:** None

The motion passed

**C. SUBDIVISION ORDINANCE VARIANCE – SIENNA PUMP STATION NO. 4**

- (1) Consider a variance request from Section 82-7. (a) pertaining to plat approval required prior to the construction of a utility facility.

Planning Manager, Jennifer Gomez, presented this item. Ms. Gomez informed that the City Engineer was present to provide any further details. The presented item was for a pump station; part of the infrastructure for the Sienna Levee Improvement District (LID), as a result of Hurricane Harvey. The infrastructure is being constructed to help mitigation efforts within that system. Ms. Gomez informed that Sienna is rapidly platting new sections and at the time the pump station's plans were submitted for review the platting had not reached the pump station location. The concept plan for Sienna Plantation 2E, conditionally approved by the Commission in February of 2019, showed future sections surrounding the pump station site.

Ms. Gomez informed that Section 31 which is abutting the site had been platted.

Ms. Gomez informed that staff's recommendation was to postpone the platting of the pump station tract until the time that the area shown as Section 32A on the concept plan is platted and to allow for construction to begin. The City Engineer has approved the plans except for the requirement to plat.

The developer anticipates that the area shown as Section 32A plat would be platted within the next several months.

**Motion:** The Planning and Zoning Commission grants conditional approval of a variance.

**Made By:** Commissioner Haney  
**Second:** Commissioner Norcom III

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

**NAYES:** None  
**ABSTENTIONS:** None

The motion passed

## 8. ZONING MAP AMENDMENTS

### A. PUBLIC HEARING FOR A ZONING MAP AMENDMENT

- (1) Public hearing to receive comments for or against a request by Mary Villareal, The Interfield Group, to zone an approximate 14.11 acre tract of land from SD, suburban district to LC-3, retail district; 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.

Planning Manager, Jennifer Gomez, presented this item. Ms. Gomez informed that Walmart at Vicksburg is to the west of the subject tract; Kroger shopping center going towards the Fort Bend Parkway is to the east, and the subject property is south of Highway 6. The request is to rezone the tract from SD, suburban district to LC-3, retail district; which would allow for regional commercial retail uses. This is a straight rezoning request. Site plans and elevations were provided by the applicant, however, any proposed development would have to be consistent with the LC-3 district regulations.

Ms. Gomez informed that staff's recommendation was to approve.

The applicant, Mary Villareal; The Interfield Group, informed that the proposed development would be a mixed use development as presented.

**Motion:** To close the public hearing

**Made By:** Commissioner Norcom III  
**Second:** Commissioner Johnson Rose

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

**NAYES:** None  
**ABSTENTIONS:** None

The motion passed

- (2) Consideration of the approval of a final report to City Council on item 8A(1) above.

**Motion:** The Planning and Zoning Commission forwards a positive recommendation to Council.

**Made By:** Commissioner Haney  
**Second:** Commissioner Norcom III

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

**NAYES:** None  
**ABSTENTIONS:** None

The motion passed

**B. PUBLIC HEARING FOR A PLANNED DEVELOPMENT DISTRICT**

- (1) Public hearing to receive comments for or against a request by Cynthia Ramirez, STOA Architects to zone a property from LC-2, local retail district and SUP, Specific Use Permit No. 40 (Ordinance O-01-33) to PD, Planned Development District to allow for a unified development to include independent living and assisted living; 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.

Planning Manager, Jennifer Gomez presented this item. Ms. Gomez informed that the subject item, SUP, Specific Use Permit #40 was approved in the mid-1980s and has been amended over time. The SUP allowed for the development of the Southminster church and school. A tract of land was added to the boundaries of the SUP; which was used by First Colony as a soccer field. Ms. Gomez informed the application is for the purpose to zone the property as a PD, Planned Development District to allow for a community that would have assisted and independent living.

Ms. Gomez informed that the development is proposed to have two phases. Phase one (outlined in red on the presentation), would include a proposed three story assisted living facility; 143 beds, and an estimated 40 persons employed. Phase two would be to the west along Cartwright Road. (outlined in blue on the presentation), would be a proposed four story independent living facility with 72 dwelling units.

Ms. Gomez informed that an assistant living facility is treated as an institution, which would require a SUP. Independent living is classified as multifamily; which would require a multifamily residential district zoning classification. The purpose of the PD would allow for the mixed uses and provide associated development standards.

Ms. Gomez informed that staff's recommendation is to approve the PD for the uses with recommendations on the site development.

Ms. Gomez presented the site plan with details. The assisted living would be closer to Brightwater Drive, and the independent living would be off of Cartwright Road.

Ms. Gomez informed that staff's recommendation on height and area requirements are to apply the MF-2, multifamily residential district regulations to both the assisted and independent living. This would allow for a maximum building height of 3 stories or 45 ft.; maximum density of 20 dwelling units per gross platted acre, and would provide a *maximum density per building* of no more than 24 dwelling units.

Ms. Gomez informed that the architectural design recommendations are to orient the buildings as shown on the site plan. Modifications to the elevations would be shown by the applicant in their presentation. Staff's recommendations include that allowing for the placement of the buildings as oriented on the site plan.

Ms. Gomez informed that the garage recommendations included allowing the applicant to provide detached garages as shown, side by side. However, the covered parking as a whole should be as required by the code. Staff's recommendation is to allow the garages to be placed as shown. A revised site plan was available that showed the covered parking that would meet the requirements of breaking up the covered parking, as well as added garages that would be required.

Ms. Gomez informed that all other recommendations were standard without deviations. Lighting standards are included; trash disposal regulations; portable storage unit regulations, and landscaping regulations, which would include the provision of transitional buffer yards and green spaces with associated landscaping and fencing as applicable along both Brightwater Drive and Cartwright Road and where adjacent to residential uses.

Ms. Gomez informed that the applicant would discuss the plans for enclosing the entire site, which was not shown on the current site plan.

Ms. Gomez informed that sign regulations would be as typical for residential uses. The MF-2 district also requires certain fencing and amenities.

Vice Chair Haney informed that the staff report stated that there was insufficient parking. Ms. Gomez informed that there was more than what was required. The caveat was that so long as the two uses would remain as a unified development and that the site was not further subdivided after construction, then they were providing more than the minimum parking spaces than required. If separated, additional parking for the independent living would be required.

Vice Chair Haney asked if the dwelling units per acre were under the MF-2, district Ms. Gomez informed that they were for the total site. Vice Chair Haney asked about separation of the site. Ms. Gomez informed that if the site was subdivided, and a smaller parcel was created for the independent living, then the independent living may exceed the number. Currently it was one property, as one unified development.

Commissioner Brightwell asked if the PD would hold the parking in place until it was brought back. Ms. Gomez informed that it was more of a condition for the property owner that they need to be aware of. The consideration is as a unified development. If they seek to replat or make changes to the acreage for either one of the uses and separate them, the owner could run into conflicts.

Commissioner Brightwell asked if the impact would only be to the multifamily side. Ms. Gomez replied, "Largely." The independent living could stand alone.

Project Manager/Architectural Designer, Courtney Brodbeck and Cynthia Ramirez provided a presentation of the proposed project. Ms. Brodbeck informed that the proposed project included independent and assisted living that has a memory care unit. The proposed development seeks to capture a market that anticipates an increase in senior residents by the year of 2030. The biggest trend going into 2020 is that there is no longer segregating and having assisted living as its own property; they are brought together for continual care.

Ms. Brodbeck informed that one of the appeals was that the church has a school. Research had been conducted on children and senior citizens, and the benefits of them being able to interact together.

Ms. Brodbeck informed that modifications had been made according to staff's recommendations. The independent living stood at 4 stories and is currently 42 ft. Cynthia Ramirez would inform of the roof selections that assisted with the height of the building. Ms. Brodbeck presented a slide that provided a view from the building height into two homeowner's backyards behind the proposed garages. To help with the aesthetics, a vine wall would be provided to mirror the homes of Brightwater. As a layer of security, the property would be gated. The church's existing playground would be kept. A proposed keypad may be provided for teachers, or the gate would remain open for the playground to be utilized.

Ms. Brodbeck informed that a traffic impact data sheet was available. They will work with the City to conduct a more thorough traffic study. Ms. Brodbeck referenced a 2006 letter from the Fort Bend County Drainage District indicating that all impact fees being paid.

Ms. Brodbeck informed that an updated site plan was available. They would like to continue to have community feedback. Ms. Brodbeck informed that they spoke to the Brightwater homeowners association. A few of their comments were received and changes were made on the site plan. The applicant stated that they are open to continual dialogue.

Vice Chair Haney asked the applicants what changes were made to the site plan. Cynthia Ramirez informed that on the site plan, only the items that were recommended by staff were changed; parking, green buffers and two more garages were added. Ms. Ramirez informed that the dialogue with the homeowners association was to keep their existing entry sign in its current location, though it is located on the subject site.

Commissioner Johnson Rose asked how tall the buildings were. Ms. Ramirez informed that the independent living was 4 stories, and the assisted living building was 3 stories.

Commissioner Johnson Rose asked if the independent building was the one closest to Cartwright Road. Ms. Ramirez informed that it was next to Oyster Creek. The 3 story building had a higher pitched roof, and the independent living had a mansard roof to appear to be 3 stories; however, it was 4 stories.

Vice Chair Haney asked about the distance from the property line to the building of the independent living. Ms. Ramirez informed that from the backside it was 20 feet all around. From the fence line to the building exceeded 200 feet.

Commissioner Bailey asked if the applicant was going to conduct a study of the increased traffic on Brightwater Drive and at the intersection of Cartwright Road. Ms. Ramirez informed that they submitted a traffic impact worksheet to the City.

Assistant Public Works Director, Clifford Brouhard informed that typically the process is that a new development has to do a worksheet that gives an idea of how much traffic would be generated based on the development itself. Staff received the worksheet the current morning and determined that a Level I, Traffic Impact Analysis (TIA) would be required.

Commissioner Bailey asked if there was anything about the TIA that would trigger a response that might be favorable or not.

Mr. Brouhard informed that it would either determine if there were no adverse impact or if there was impact, what mitigations would be required.

Commissioner Bailey asked about drainage and detention. Ms. Ramirez informed that they contacted the Fort Bend County Drainage District and were informed that the 2006 letter was still applicable. The only way for the District to provide a new letter was for the applicant to submit new civil documents.

Mr. Brouhard informed that the City Engineer, Shashi Kumar, could comment on the drainage.

City Engineer, Shashi Kumar, informed that the intent of the TIA is to identify the current conditions, the level of service. Prior to staff moving forward to provide approvals of any site plan, the applicant would have to mitigate those impacts.

Mr. Kumar informed that Oyster Creek, is located to the west of the subject site. Although staff had not yet seen the details it is likely that the site outfall would go directly into Oyster Creek.

Patrick Carrigan, civil engineer for the project, informed that he had a letter from the Fort Bend County Drainage District that stated "...the tract of land is paid in

*full for the drainage impact fee, ...and has satisfied the requirements concerning outfall to middle Oyster Creek system. There is a permit for a 42 inch outfall into Oyster Creek.*” Mr. Carrigan informed that there is an outfall in place, and the fees were already paid.

Vice Chair Haney stated that with the new development, the drainage would improve, however the letter does not provide a level of comfort that it would improve. It just says that there is a right to outfall into Oyster Creek. Vice Chair Haney informed that it did not inform that the applicant had a good handle on the drainage on the particular part of land.

Mr. Kumar informed that staff would make sure that the development would not impact adjacent properties.

Vice Chair Haney asked the applicants if they were ok with all of staff's recommendations, and if all the necessary changes would be made to meet staff requirements, as the report was written. Ms. Ramirez replied, “Yes.”

Commissioner Rasmus asked the applicant how they came up with the design. Ms. Ramirez informed that they followed the guidelines established by Missouri City and tried to blend in with the community of Brightwater and the surrounding neighborhoods.

Commissioner Johnson Rose asked the applicants if they had purchased the property from the church, and if the ownership group developed any living facilities as the one being proposed. Ms. Ramirez replied, “Yes, as an architectural firm and the developer have done other projects similar to this. The property is still under due diligence.”

Commissioner Bailey asked about current drainage and retention on the property. Ms. Ramirez informed that there were currently some swells and open grade.

Commissioner Bailey asked the applicant about the building elevation. Ms. Ramirez informed that they had not established it at the time.

Commissioner Lucas asked the applicant for clarity of what was “memory care”. Ms. Ramirez informed that memory care is for people with Alzheimer and dementia. They would have their own wing on the property, as well as a fenced-in garden.

Tom Simon, 4111 Harbor Point Dr., stated that he has been a resident of Brightwater for 28 years. He expressed his view that the church has a financial problem and that is driving the decision to sell. Mr. Simon expressed concern over a previous HOA management that did not purchase the property on behalf of the neighborhood and indicated that the current HOA could buy the property through a special assessment or otherwise and retain it as a park. Mr. Simon continued to express additional concerns including traffic and compromising emergency access; light pollution; property values; and current potential for street flooding.

Howard Hochman, 4126 Starboard Shores Dr., provided that he was not against assisted living; however, he was against a building that was 3 to 4 stories tall in the midst of a residential area. Mr. Hochman expressed concern with the impact of the development on the appraised value of his home; traffic; the city's loss of tax value; and the number of assisted living facilities already operating within the city.

Diane Mauricio, 4006 Harbor Point Dr., HOA representative expressed that per a city flood map, Oyster Creek at Cartwright Road registered a new high water record as a result of Hurricane Harvey. Ms. Mauricio indicated that prior to that the area did not flood. Ms. Mauricio expressed additional concerns about flooding in the area; traffic; the size of the proposed development; the height of the proposed buildings; and current assisted living facilities within distance of the subject site.

Kent Landry, Senior Pastor of Southminster Presbyterian Church, spoke on behalf of the church and indicated that they are selling the piece of property to pay off the debt of the school and church, and to allow for a new ministry. They have owned the property since December of 1993 and it was originally zoned for commercial use. Although they opened up the property as the soccer field and a playground for the community there was a misunderstanding that this property is not a public green space. Pastor Landry informed that they believe that the proposed project is a gift from God for their congregation and school. There is an excitement to have new neighbors that they can care and pray for. Children of the school could connect with, learn from and know what it means to respect their elders. Other buyers have approached the church; however, they do not want another half-filled strip center along Cartwright Rd. What sets the project apart was the opportunity and the quality that honors older adults and gives the church an opportunity to minister to a new group of people.

Robert Higgins, 2322 Reflection Ct., informed that he could not imagine that the density of the development so close to the residential area and expressed concern about property value.

William Johnson, 3314 Palm Desert Ln, provided that the proposed use for the property would bring the City of Missouri City maximum revenue and would bring Southminster Presbyterian Church an opportunity to serve the community.

Angie Wierzbicki, 2311 Creek Meadows Dr., informed that she is opposed as a resident of the city. She does not live in Brightwater; however, drives by the section every day. Ms. Wierzbicki expressed concern with the proposed building height; traffic; drainage; that the proposed development would not increase the enrollment in the school; concern about taxes. Mrs. Wierzbicki suggested having a mixed-use/smart growth development, as in some assisted or independent living uses mixed in with some retail/commercial, office space to make it a more holistic place to live.

Dong Chen, 1815 Shoreline Dr., expressed his concern about traffic; drainage; safety; noise; the number of assisted living facilities in the area; and flooding.

Greg Wettman, 9318 Crosby Way, informed that he is a member of the church and that the proposed development would be a \$35 million project. Mr. Wettman informed that he is on the real estate committee for the church and that they currently have a contract for this site. Mr. Wettman stated that the church was going to sell the property and if not for this development then the first thing that another developer would do is tear down the neighborhood's entry sign. Mr. Wettman informed that it was not about politics, but the best use for the property.

Sumera Khan, 4118 Waterview Ct., informed that her home is one minute from the development and expressed concern about privacy and safety. Mrs. Khan also expressed concern about the number of ambulances that might disturb the

neighborhood.

Don Moore, 4106 Brightwood St., expressed concerns regarding the monthly costs to live within the proposed development and the type of people that it would attract to live in the facilities. Mr. Moore expressed concern about the potential impact on property values; flooding of Oyster Creek; and lack of green space.

Al Sutton, 1815 Lakefront Dr., expressed concern the placement of multifamily uses in proximity to his house. Mr. Sutton stated that when he and his wife moved into the area, their anticipation was that the zoning would remain the same. Mr. Sutton also expressed concern on taxes.

**Motion:** To close the public hearing

**Made By:** Commissioner Haney

**Second:** Commissioner Brightwell

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

**NAYES:** None

**ABSTENTIONS:** None

The motion passed

- (2) Consideration of the approval of a final report to City Council on item 8B(1) above.

Commissioner Johnson Rose asked staff if it was appropriate in a case like this to conduct a traffic or drainage study in advance of the approval. Mr. Brouhard informed that city staff has a right to request a traffic or drainage study at any point during the process. Mr. Spriggs informed that the Commission has the ability to make any recommendations to City Council to that effect, prior to any final decisions.

Vice Chair Haney asked if the requirements are not met, does it become a moot point. Mr. Spriggs informed that there could be mitigations. Vice Chair Haney asked what if mitigations could not be made and if it would end it. Mr. Brouhard replied, "Yes."

Assistant City Attorney, James Santangelo, reminded the Commission that the considerations would be primarily tied with land use, building size, location, population density, and traffic. Mr. Santangelo informed that he understood that the property was already platted; however, those were issues reserved for the land development and platting process.

Vice Chair Haney informed that the Commission wanted to ensure that the public was clear on the items.

Chair Brown-Marshall asked Ms. Gomez to provide a brief overview of the types of uses permitted within the LC-2. Ms. Gomez presented the zoning quick reference guide and informed that the city's zoning is cumulative. Uses permitted

in a less intense zone are permitted in a higher intensity zone.

Commissioner Johnson Rose asked staff if they knew how many times the developer met with the homeowners association. Ms. Gomez informed that at least once, and the developer would be able to answer. The developer had responded to the concerns based on that meeting.

Commissioner Bailey asked staff about the phases and timeline of the development. Ms. Gomez informed that it was a recommendation in the staff report. The applicant was supposed to provide the information. Ms. Ramirez informed that they had just received the recommendations. Based on the recommendations received at that time, they would provide a timeline and the phases for the next meeting.

Commissioner O'Malley asked Ms. Gomez if the developer would need to present to the Commission if they did not do phase two. Ms. Gomez informed that an assisted living facility by itself would require a SUP. The current SUP on the property allows for the church and school use. The applicant would need to return to the Commission for a SUP, if they separated the proposed assisted living use from the independent living.

**Motion:** The Planning and Zoning Commission forwards a positive recommendation to Council.

**Made By:** Commissioner Brightwell  
**Second:** Commissioner Haney

**AYES:** Commissioner Haney, Commissioner O'Malley, Commissioner Bailey, Commissioner Brightwell

**NAYES:** Commissioner Brown-Marshall, Commissioner Johnson Rose, Commissioner Lucas, Commissioner Rasmus, Commissioner Norcom III

**ABSTENTIONS:** None

The motion failed

**9. ZONING TEXT AMENDMENTS**

None.

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

None.

**11. 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.*

**12. RECONVENE**

Reconvene into Regular Session and Consider Action, if any, on items discussed in executive session.

13. **ADJOURN**

**Motion:** To adjourn

**Made By:** Commissioner Norcom III

**Second:** Commissioner Haney

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

**NAYES:** None

**ABSTENTIONS:** None

The motion passed

**Motion:** To reopen the meeting

**Made By:** Commissioner Haney

**Second:** Commissioner Brightwell

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

**NAYES:** None

**ABSTENTIONS:** None

The motion passed

**Motion:** The Planning and Zoning Commission adopt the staff report on item 8B(1) and forward to City Council with a failed motion.

**Made By:** Commissioner Haney

**Second:** Commissioner Bailey

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

**NAYES:** None

**ABSTENTIONS:** None

The motion passed

**Motion:** To adjourn

**Made By:** Commissioner Haney  
**Second:** Commissioner Norcom III

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

**NAYES:** None  
**ABSTENTIONS:** None

The motion passed



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Egima Edwards  
Planning Technician

Aug

PLEASE PRINT

Agenda Item	Name/Company
8A(1)	William W. JOHNSON
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Brightwater	Judy H. Blacklock
<del>Brightwater</del>	<del>Deanna Robinson</del>
<del>Brightwater</del>	<del>CRP Robinson</del>
Split property	Bertha Martin
Split property	Erlan & Kentar
Split property	Joann Dunmire
BRIGHTWATER	KINDA HIBBINS
8B(1)	Lesalandm
8B(1)	Susan Sykes
8B(1)	Don Sykes
8B(1)	Marilyn Russell

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Agenda Item	Name/Company
1/A	Zhong Xiang Xiang
8/1	Zhi Jian ZENG
0B	Jane Nie
8E	April Luo
0E	Sandra Weber Fullerton
SS	Elena Tam
<del>8B</del>	<del>Sh...</del>
8B	Premchand Kolla
8B	Z. Z. Ray Peugh
8B	Bahman Mozafari
85.	Zuxing Chen
	A Sutton
	Mary Villarreal / The Interfield Group





Agenda Item \_\_\_\_\_ Name/Company \_\_\_\_\_

B	Frances Chan
	Dr. Jeffrey Chang
	Cynthia Ramirez
	Tanjir M. Sheikh
8B	PARTHA R. SARATHY
8B	Sun Lin
6D	Marilyne Stumpf
8B	DAVID SCHUMAN
	=====

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Agenda Item	Name/Company
So MINSER	WEI ZHUOMI LU
J. B.	Ana'e Wierzbicki
K. B.	Patrick Carrigan
G. B.	Gary & Regina Hawkes
G. B.	Paul & Purningsha
Brightwater	RANDY CORBIN
Brightwater	Quonk Group
<del>Brightwater</del>	DAVID RICE
Brightwater	
Brightwater	RITA DUNPHY
Camden Park <del>Brightwater</del>	Peter Wemerst
Brightwater	Diane Mauricio
O SB	Will Hardee
Brightwater	David Farrel
<del>Brightwater</del>	Jackie Kaceli
Brightwater SB	Ruchira Paul

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Agenda Item	Name/Company
SPRINT PARK 1)	John Bryan M. de Ruon
Bright water	Robert Higgins
8 B1	<del>David M. ...</del>
8 B1	Andrew Keyes
8(B)(1)	
2-7	ISA
2-7	ISA
BRIGHT WATER	WILLIE R. ROBINSON
Southminster	Mike Evans
Southminster	Lucie & Wm Bowling

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Agenda Item	Name/Company
Brightwater	Joanie Sharp
Brightwater	Dwayne Bilton
SBI	ROBERT HOBBE
	Janice Hodge
SRC	GREG WETZMAN
Brightwater	Yolanda Washington
"	Carolyn Reyes
✓	Kent Hudson
	PAUL DRAKE
✓	KENT REYNOLDS
✓	Howard Hochman
✓	2307 Prof John Britz
SPC	J. HARDCASTLY
Brightwater	Spain V Gonzalez
Brightwater	Fred Schuman
Brightwater	Charlotte Schuman

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Agenda Item	Name/Company
<del>Brightwater</del>	June Wu
Brightwater	Ping Yue Zhou
Brightwater	Michael Zhou
Brightwater	Aene Moore
Brightwater	Don Moore
Brightwater	Alan Attacher
Kunze Plaza	Sodya Yabonachili
Brightwater	Tom Jones
Brightwater	Ping Ran
Brightwater	Kunt Benlahr
	Manish Patel
Brightwater	Dong Chen
Brightwater	Bardus J. Cardoso
Brightwater	Albert Robinson
BRIGHT WATER	EMRE NAGY
Brightwater	ERIKA NAGY

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Agenda Item	Name/Company
8B	Rafael Alvarez
8B	JAN ANDERSON
8B	Lee Alexander
8B	S. Dawson
8B	Sambit Pradhan
8B	Vance Allen E.
8B	W. Sweetman

