



**MINUTES
PLANNING AND ZONING COMMISSION
CITY OF MISSOURI CITY, TEXAS
January 12, 2022**

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 7:00 PM.

2. ROLL CALL

Commissioners Present:

Sonya Brown-Marshall
Timothy Haney
Gloria Lucas
Karen Overton
Daniel Silva
Rodney Griffin
James Bailey
John O'Malley
Hugh Brightwell

Commissioners Absent:

None

Councilmembers Present:

Mayor Robin Elackatt
Councilmember Monica Riley

Staff Present:

Glen Martel, Assistant City Manager
Jennifer Gomez, Director, Development Services
Keehren Baah, Planning Manager
Stori Nuri, Planner I
Gretchen Pyle, Development Review Coordinator
Egima Edwards, Planning Technician
Jeremy Davis, Assistant City Engineer
James Santangelo, Assistant City Attorney

Others Present:

Patrick Brown; Real Estate Agent, Brake Check

3. READING OF MINUTES

Chair Brown-Marshall called for a motion to accept the December 8, 2021 Planning and Zoning Commission meeting minutes.

Motion: Approval of the December 8, 2021 meeting minutes.

Made By: Commissioner Lucas

Second: Commissioner Griffin

AYES: Commissioner Brown-Marshall, Commissioner Haney, Commissioner Lucas, Commissioner Silva, Commissioner Overton, Commissioner Griffin, Commissioner Bailey

NAYES: None

ABSTENTIONS: Commissioner O'Malley, Commissioner Brightwell

The motion passed.

4. REPORTS

A. COMMISSION REPORTS

(1) Chairman of the Planning and Zoning Commission

Chair Brown-Marshall wished everyone a Happy New Year.

(2) Planning and Zoning Commissioners

Commissioner Griffin reported virtually attending the American Planning Association Texas state conference in November. Commissioner described it as a learning experience and thanked Egima Edwards for assisting with the logistics of connecting to the conference.

B. STAFF REPORTS

(1) City Administration

a. City Manager: Introduction of City Manager Charles "Tink" Jackson

Jennifer Gomez, Director, Development Services, reported that new City Manager, Charles "Tink" Jackson, was not able to attend however sent his apologies and that he is looking forward to attending and formally meeting the Commission.

(2) Development Services

a. Director –

Jennifer Thomas Gomez, Director, Development Services, wished everyone a Happy New Year.

- (3) Engineering
 - a. Assistant City Engineer

Jeremy Davis, Assistant City Engineer, wished everyone a Happy New Year.

5. PUBLIC COMMENT

None.

6. PLATS

A. CONSENT AGENDA

- (1) Consider an application for a revised concept plan for Sienna 3E
- (2) Consider an application for a concept plan for Sienna 4A
- (3) Consider an application for a preliminary plat for Sienna Village of Bees Creek Section Thirty
- (4) Consider an application for a preliminary plat for Modera Missouri City
- (5) Consider an application for a final plat for Sienna Section 57
- (6) Consider an application for a final plat for Sienna Section 64
- (7) Consider an application for a final plat for Sienna Section 66
- (8) Consider an application for a final plat for Sienna Apartments
- (9) Consider an application for a final plat for Industrial Business Park At Pike and Gessner
- (10) Consider an application for a final plat for Greyden Estates
- (11) Consider an application for Amending Plat of Lots 7 & 8, Block 1, Rustlers Crossing

Motion: To approve consent agenda

Made By: Commissioner Haney

Second: Commissioner Lucas

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

NAYES: None

ABSTENTIONS: None

The motion passed.

B. PARKLAND DEDICATION

- (1) Consider an application for a parkland dedication for Modera Missouri City

Jennifer Gomez, Director, Development Services, presented the agenda item. The parkland is being made as part of the plat approval for the proposed Modera Missouri City. The development is proposed to be a 300 unit multi-family subdivision located to the west of Hurricane Lane; south of Trammel Fresno Road; and west of Hightower High School.

The development site is approximately 15 acre.

The Parks Board recommended approval for cash-in-lieu of parkland. If

accepted, the monies would go into the acquisition and maintenance for park facilities within the park zone.

Staff recommends approval of Parks Board's recommendation to City Council.

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

Made By: Commissioner Haney
Second: Commissioner Brightwell

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

NAYES: None
ABSTENTIONS: None

The motion passed.

7. ZONING MAP AMENDMENTS

A. ZONING MAP AMENDMENT – FORT BEND MUNICIPAL UTILITY DISTRICT

A. PLANNED DEVELOPMENT DISTRICT – BRAKE CHECK, SIENNA

- (1) Public hearing to receive comments for or against a request to zone an approximate 0.8153 acre tract of land to PD, planned development district to allow for the location of an automobile service business; 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.

The site location is north of Highway 6; south of The Enclave at Lakeshore Harbor residential subdivision; east of Kitty Hollow Park, and west of a previous Goodwill location.

Jennifer Gomez, Director, Development Services, presented the agenda item. Ms. Gomez stated that the site is located at the intersection of Trammel Fresno and Highway 6, next to a former Goodwill location. The tract has never been developed

Ms. Gomez stated that the company is seeking to purchase the property to locate an oil change facility. The property is currently zoned LC-2, local retail district which does not permit auto uses. Similar types of businesses are located within the LC-3, retail district zoning. There are no deviations to regulations.

Staff recommends approval of a PD, Planned Development to allow for LC-2 uses and include an auto oil change facility.

Commissioner Griffin inquired about property and business owners who are opposed to the development.

Ms. Gomez replied that notices were mailed to property owners within 200 feet of the subject site. A property owner response was provided.

Commissioner Overton inquired about the disposal of brake fluid.

Patrick Brown, Real Estate Agent of Brake Check, replied that the company adheres to all environmental regulations and that the company's practice is to collect all excess oil and transports it off-site.

Commissioner Overton inquired about the city's regulations to ensure Brake Check is abiding by city ordinances regarding oil spills.

Ms. Gomez replied that environmental laws are factored into the permitting process. An inventory of chemicals to be located on site and the quantity is required to be submitted with permit plans. The Fire Marshall's office can conduct periodic inspections for certain types of uses having chemicals in storage.

Vice Chair Haney asked for clarification on the purpose of the application.

Ms. Gomez clarified that the PD is recommended to restrict the uses and allow for for the oil change use..

Chair Brown-Marshall read a protest letter received from George Joseph.

Vice Chair Haney asked if there is a large buffer between residential and the project site.

Ms. Gomez stated that the city's requirement is 20 feet from the back property line. The distance will be comparable to the previous Goodwill site.

Commissioner Silva inquired about the only entrance being on Highway 6.

Ms. Gomez replied that there will be shared access with the existing driveway.

Jeremy Davis, Assistant City Engineer confirmed the shared access.

Motion: To close the public hearing

Made By: Commissioner Haney

Second: Commissioner Griffin

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

NAYES: None

ABSTENTIONS: None

The motion passed.

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

Motion: Forward a negative recommendation to City Council

Made By: Commissioner Lucas

Second: None.

The motion failed.

Motion: Forward a positive recommendation to City Council

Made By: Commissioner Haney
Second: Commissioner Brightwell

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

NAYES: Commissioner Lucas
ABSTENTIONS: None

The motion passed.

8. ZONING TEXT AMENDMENTS
A. USE DISTRICTS

- (1) Discuss possible amendments to Section 5. Establishment of Districts and Boundaries and Section 7. Use Districts contained within the City of Missouri City Zoning Ordinance.

Jennifer Gomez, Director, Development Services, presented the agenda item. Ms. Gomez stated the agenda item is for discussion only.

Ms. Gomez provided an overall on the city's zoning districts and provided that the City is at the point where it should consider the applicability of zoning districts and undeveloped or underdeveloped properties.

Vice Chair Haney inquired if the current zoning districts are modeled after anything and if the Commission will be considering standards to determine if they currently fit.

Ms. Gomez replied that the city's zoning districts are a type of Euclidean zoning.

Commissioner Overton asked if zoning was in place for the Brake Check project would there be a need to rezone.

Ms. Gomez replied that zoning is a property right. Every development does not need to go through a rezoning process. The Comprehensive Plan and Future Land Use Plan are used by the city to chart out policies of how it wants to grow and determine the type of community it wants to be.

Commissioner Overton inquired if there was discussion to make amendments to the Comprehension Plan.

Ms. Gomez replied that the Comprehensive Plan should always be the guiding document. There may be a need to amend the Plan if recommendations are not consistent with the Comprehensive Plan.

Commissioner Overton inquired about the quantity of community input in the zoning process.

Ms. Gomez replied that two public hearings before the Planning & Zoning Commission are required as part of the process. P&Z workshops begin can begin in

February and public workshops scheduled following.

Commissioner Overton inquired about the number of zoning categories.

Ms. Gomez replied about 22 zoning categories.

Commissioner Overton inquired about a projected timeline for the process.

Ms. Gomez replied that this process will depend on the discussions and types of amendments.

Commissioner O'Malley inquired about property owners request to have their property in a different category.

Ms. Gomez replied that the city would work with any property owners affected by any proposed changes.

Vice Chair Haney asked if the discussion is to adjust permitted uses or categories.

Ms. Gomez replied both.

Commissioner Brightwell inquired about outside consulting assistance.

Ms. Gomez replied that the city is looking to bring in a consultant to assist through the process.

Commissioner Brightwell suggested that the Commission also work with City Council through joint sessions.

Commissioner Overton suggested that a mission and objectives be developed and asked if the process would include consideration of areas in the ETJ, extraterritorial jurisdiction.

Ms. Gomez replied that zoning does not extend to the ETJ, however there may be an overlap that should be considered in the Comprehensive Plan and Future Land Use Plan.

Ms. Gomez stated the Commission will be polled on a date for the first workshop.

Commissioner Lucas inquired if the workshops would be scheduled on dates other than the regularly scheduled meeting dates.

Ms. Gomez replied a few days will be polled to see what would work.

B. SIGN REGULATIONS

- (1) Discuss possible amendments to Section 13. Sign Regulations contained within the City of Missouri City Zoning Ordinance.

C. VIOLATIONS AND PENALTIES

- (1) Discuss possible amendments to Section 22. Violations and Penalties contained within the City of Missouri City Zoning Ordinance.

Jennifer Gomez, Director, Development Services, presented both agenda items 8.B.(1) and 8.C.(1) as one. These are discussion only items to look at issues of enforcement and maintenance regulations contained in the zoning ordinance.

Examples provided included the city's recourse for failure to comply with sign regulations and work being done without the issuance of a permit.

Vice Chair Haney asked if the discussion would focus on permanent or temporary signs.

Ms. Gomez replied both would have to be considered. All signs require certain standards.

Commissioner Overton inquired about the Commission's action plan.

Ms. Gomez replied that the existing regulations would be open for discussion. The mission will focus on what the City's goal is for the enforcement of regulations. It does not make sense to have regulations if the City cannot enforce them.

Commissioner Overton inquired if they are limited to only discuss signs.

Ms. Gomez replied no.

Commissioner Overton inquired if livestock regulations can be included in discussions.

Ms. Gomez replied yes.

Chair Brown-Marshall inquired if fines can be a part of discussions.

Ms. Gomez replied yes.

Commissioner Brightwell inquired if consulting assistance will be received.

Ms. Gomez replied yes.

Chair Brown-Marshall inquired if all discussion items will be discussed simultaneously together or separately.

Ms. Gomez replied the initial work session will involve all three together. From there they will be discussed separately. Use districts will be a larger conversation, sign and enforcement of regulations will go through regular processes.

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

None.

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.

None.

11. RECONVENE

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

12. ADJOURN

Motion: To adjourn

Made By: Commissioner Haney

Second: Commissioner Overton

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

NAYES: None

ABSTENTIONS: None

The motion passed.

Egima Edwards
Planning Technician