



MINUTES
PLANNING AND ZONING COMMISSION
CITY OF MISSOURI CITY, TEXAS
July 12, 2017

1. CALL TO ORDER

The Notice of Meeting and Agenda having been duly posted in accordance with legal requirements and a quorum being present, the meeting was called to order by Vice Chairman Haney, at 7:00 PM.

2. ROLL CALL

Commissioners Present:

Timothy Haney
John O'Malley
Reginald Pearson
Courtney Johnson Rose
Ramesh Anand
Len Goff

Commissioners Absent: Chairman Brown-Marshall, Commissioner Parker, Commissioner Brightwell

Councilmembers Present: None

Staff Present:

Scott Elmer, Assistant City Manager
Otis T. Spriggs, Director of Development Services
E. Joyce Iyamu, City Attorney
Jennifer Thomas Gomez, Planning Manager
Jennifer Hobbs, Assistant City Engineer
Thomas White, Planner II
Nancy Desobry, Office Manager

Others Present:

Randy Bowles	Kathryn Edwards	D. Stanley
Emmitt Allen	Horace Doyle	

3. READING OF MINUTES:

- (1) Vice Chairman Haney called for any corrections or additions to the June 14, 2017, regular Planning and Zoning Commission meeting minutes.

Motion: Approval of the June 14, meeting minutes

Made By: Commissioner O'Malley

Second: Commissioner Anand

AYES: Commissioner O'Malley, Commissioner Pearson, Commissioner Rose, Commissioner Parker, Commissioner Anand, Commissioner Goff

NAYS: None

The motion passed.

4. REPORTS

A. COMMISSION REPORTS

- (1) Chairman of the Planning and Zoning Commission
None
- (2) Planning and Zoning Commissioners
None

B. STAFF REPORTS

- (1) Development Services
- a. Director
None
- (2) City Engineer
- a. Assistant City Engineer
None

5. PUBLIC COMMENT

None

6. PLATS

A. CONSENT AGENDA

- (1) Consider approval of a preliminary plat for Creekstone Village at Riverstone Section 9
- (2) Consider approval of a preliminary plat for Dry Creek Village Section 1
- (3) Consider approval of a preliminary plat for Parks Edge Section One
- (4) Consider approval of a preliminary plat for Parks Edge Section Two
- (5) Consider approval of a preliminary plat for Parks Edge Section Three
- (6) Consider approval of a preliminary plat for Plantation Ridge Plaza
- (7) Consider approval of a final plat for Plantation River Parkway (labeled Plantation Ridge Plaza on agenda)
- (8) Consider approval of a final plat for Sienna Plantation Section 14
- (9) Consider approval of a final plat for Sienna Plantation Section 16
- (10) Consider approval of a final plat for Sienna Plantation Section 22
- (11) Consider approval of a final plat for FIS Missouri City

Motion: The Planning Commission grant conditional approval of the consent agenda.

Made By: Commissioner Rose
Second: Commissioner Pearson

AYES: Commissioner O'Malley, Commissioner Pearson, Commissioner Rose, Commissioner Anand, Commissioner Goff, Commissioner Haney

NAYS: None

The motion passed.

B. LIBERTY RIDGE

(1) Consider approval of a concept plan for Liberty Ridge.

Ms. Jennifer Thomas Gomez, Planning Manager, presented this item stating this is Planned Development District 98 and will be built in phases and include 45' lots. Court Road will go away and the extension of Independence Boulevard would replace it.

The Commissioners discussed the extension of Independence Boulevard and closing of Court Road.

Motion: The Planning Commission grant conditional approval of the Liberty Ridge concept plan

Made By: Commissioner Goff
Second: Commissioner Pearson

AYES: Commissioner Pearson, Commissioner Rose, Commissioner Anand, Commissioner Goff, Commissioner Haney

NAYS: Commissioner O'Malley

The motion passed.

(2) Consider approval of a preliminary plat for Liberty Ridge Sections 1 and 2

Motion: The Planning Commission grant conditional approval of the preliminary plat for Liberty Ridge Sections 1 and 2

Made By: Commissioner Goff
Second: Commissioner Rose

AYES: Commissioner Pearson, Commissioner Rose, Commissioner Anand, Commissioner Goff, Commissioner Haney

NAYS: Commissioner O'Malley

The motion passed.

7. ZONING MAP AMENDMENTS

A. PUBLIC HEARING FOR A ZONING MAP AMENDMENT

(1) Public hearing to receive comments for or against a request by Deshun Stanley to amend the rules and regulations of PD, Planned Development District #11 to allow for the location of an adult day care center, 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. PD #11 is located north and east of the intersection of Lake Olympia Parkway and State Highway 6 and includes a Public Storage facility (6725 Highway 6); a State Farm Insurance business (6705 Highway 6); a shopping center (6701 Highway 6); and a vacant fast food restaurant building (6855 Highway 6). The proposed adult day care center would be located within a lease space within the shopping center.

Ms. Jennifer Gomez, presented this item stating PD, Planned Development District No. 11 was originally established to allow for the development of commercial/retail uses which would be designed to reflect and compliment a residential character. The development was to accommodate a fast food restaurant, storage facility, office and commercial/retail uses. The applicant entered into a five-year lease to locate an adult day care center within the shopping center located within the PD. The lease space is approximately 1,880 square feet. The applicant has indicated that the business would provide “a safe place where senior adults can go daily to interact with each other in an enjoyable environment.” The applicant anticipates an initial client base of between 10 to 20 adults. The center would provide daily meals and snacks for its clients in addition to onsite activities to include games, arts and crafts, movies, therapeutic activities and social events. Regular field trips would also be provided. Section 15.2 of the City’s zoning ordinance provides that an SUP, Specific Use Permit is required for an institution for the elderly unless the proposed use is located within a PD. The adult day care center use is considered to be an institution for the elderly. Certain adult day care centers are licensed through the Texas Department of Health and Human Services.

Ms. Gomez stated the applicant has shown an outdoor relaxation and sitting area of approximately 400 square feet to be located within a landscaped area within the parking lot. It is staff’s recommendation to allow for the location of an adult day care center within the shopping center located at 6701 Highway 6, Suite 102, provided that all activities related to the business are conducted inside of the lease space. It is unclear, however, as to whether or not the outdoor area presented is a licensing requirement for this type of use. Staff recommends that all activities be conducted either inside of the lease space or clients transported off site as this area is not designed to support nor protect the lounging of persons.

Ms. Deshun Stanley stated they would be State licensed. She did not know if an outside area was required for State license, but would comply with those requirements as well as the City requirements.

Motion: To close the public hearing

Made By: Commissioner Rose
Second: Commissioner Goff

AYES: Commissioner Pearson, Commissioner Rose,
Commissioner Anand, Commissioner Goff, Commissioner
Haney, Commissioner O'Malley

NAYS: None

The motion passed.

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

Motion: The Planning Commission adopt this as a final report and forward to City Council with a positive recommendation and to comply with State and City requirements.

Made By: Commissioner Rose
Second: Commissioner Goff

AYES: Commissioner Pearson, Commissioner Rose,
Commissioner Anand, Commissioner Goff, Commissioner
Haney, Commissioner O'Malley

NAYS: None

The motion passed.

8. ZONING TEXT AMENDMENTS
A. PUBLIC HEARING FOR AMENDMENTS REGARDING MOBILE FOOD ESTABLISHMENTS

(1) Public hearing to receive comments for or against possible amendments to the Zoning Ordinance regarding mobile food establishments.

Mr. Otis Spriggs, Director of Development Services, presented this item stating this is a public hearing and review of preliminary guidelines recommended by Planning and Legal staff providing for draft text amendments to serve as future regulations for mobile food establishment uses within the City of Missouri City Zoning. No final action is requested. Since the last P & Z Commission review, staff presented an update of the Mobile Food Unit Texas Amendment Case on June 19, 2017, to City Council, to gain further feedback and advisement. Planning and Legal staff were given the directive to remove Food Truck allowances from the commercial retail zoned corridor areas and concentrate them only on industrially permitted properties during times accommodating lunch service.

Mr. Spriggs presented a recommended zoning code text summary including the following items: definition; prohibited conduct; inspections of mobile food units; food safety requirements; application requirements; use districts allowed; distance regulations; hours of operation;

signage; noise; trash disposal; utility connections; parking; operational capacity; and exemptions.

In summary, Mr. Spriggs stated this amendment seeks to continue the allowance of special event permits which have allowed temporary mobile food vendors to gain permit approval on a case-by-case basis. Checklists and application details will be further refined after public input. The ordinance also seeks to provide some level of standard for mobile food vendors to operate at major residential subdivision construction sites during the lunch period time frame. City Council has voiced support in allowing for food trucks in zoning districts that permit industrial uses only. As noted previously, the demand exists in areas where business owners have in the past shown as interest of providing mobile food opportunities for their employees, who often lack the conveniences that occur along our major commercial corridors.

Mr. Spriggs stated that 225 letters notifying of the public hearing had been sent to restaurants and businesses.

The Commissioners reiterated their previous opinion that this is a trend the City should not pass up. Programs have been successful in Houston and other cities. The program should support breakfast and evening hours. This is an opportunity to offer more to the community. They expressed that the proposal is too restrictive and asked what the downside would be for flexibility. The demand is in the evenings and weekends.

Mr. Horace Doyle, stated he wished to start a food truck business to be parked outside of Teaze's Daiquiri bar as they do not sell food in the establishment. The proposed ordinance would not allow that as the best time for this is in the evening and on weekends.

Motion:	To close the public hearing.
Made By:	Commissioner Anand
Second:	Commissioner Pearson
AYES:	Commissioner O'Malley, Commissioner Haney, Commissioner Pearson, Commissioner Rose, Commissioner Anand, Commissioner Goff
NAYS:	None

The motion passed.

B. CONSIDERATION FOR AMENDMENTS REGARDING WINDOW COVERINGS
(1) Discuss possible amendments to the Zoning Ordinance regarding window coverings.

Mr. Spriggs presented this item stating staff analyzed the existing signage ordinance, Section 13.10.J window signs and presented general guidelines to the Planning and Zoning Commission on June 14, 2017. It was concluded that the current sign ordinance needs no further modifications at this time, and is currently effectively being enforced. In the proposed text amendments, the focus and approach to regulating window covering has been narrowed-down to the main strategic goal of "Creating a great place to life" and "Having quality development throughout buildout". Therefore, maintaining Missouri City's quality architectural guidelines is the main purpose of this recommended change. The proposed guidelines provide

a precise limitation of window covering at twenty-five (25) percent of the aggregate window area of a nonresidential development. Compliance with the architectural design standards color pallet selection is also considered, as it relates to window covering colors which shall be one solid color of either beige, black, bronze, brown, buff, cream, sand or tan. Window coverings shall also complement the overall scheme of the building façade.

Motion: To close the public hearing.

Made By: Commissioner Anand
Second: Commissioner Pearson

AYES: Commissioner O'Malley, Commissioner Haney, Commissioner Pearson, Commissioner Rose, Commissioner Anand, Commissioner Goff

NAYS: None

The motion passed.

(2) Consideration of the approval of a preliminary report on item 8B above.

Motion: The Planning Commission adopt this as a preliminary report.

Made By: Commissioner Goff
Second: Commissioner Pearson

AYES: Commissioner O'Malley, Commissioner Haney, Commissioner Pearson, Commissioner Rose, Commissioner Anand, Commissioner Goff

NAYS: None

The motion passed.

C. PUBLIC HEARING FOR AMENDMENTS REGARDING REQUIREMENTS FOR A PD DISTRICT AMENDMENT APPLICATION

(1) Public hearing to receive comments for or against possible amendments to Section 8.3.A.1 – Requirements for a PD district amendment application; applicability; protest and waiver. Ownership documentation.

Ms. Gomez presented this item stating the time constraints with the standard notification have now been found to impose an unnecessary burden on staff to verify information on the date that an application is received.

Motion: To close the public hearing.

Made By: Commissioner Anand
Second: Commissioner Rose

AYES: Commissioner O'Malley, Commissioner Haney,
Commissioner Pearson, Commissioner Rose,
Commissioner Anand, Commissioner Goff

NAYS: None

The motion passed.

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

Motion: The Planning Commission adopt this as a final report.

Made By: Commissioner Rose
Second: Commissioner Anand

AYES: Commissioner O'Malley, Commissioner Haney,
Commissioner Pearson, Commissioner Rose,
Commissioner Anand, Commissioner Goff

NAYS: 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

Nancy Desobry