



**MINUTES**  
**PLANNING AND ZONING COMMISSION**  
**CITY OF MISSOURI CITY, TEXAS**  
January 10, 2018

**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 Chairman Brown-Marshall, at 7:00 PM.

**2. ROLL CALL**

**Commissioners Present:**

Sonya Brown-Marshall  
Reginald Pearson  
Douglas Parker  
Hugh Brightwell  
Len Goff, Jr.  
Tim Haney  
John O'Malley  
Courtney Johnson Rose

**Commissioners Absent:** Commissioner Anand

**Councilmembers Present:** Jeffrey L. Boney

**Staff Present:**

Otis T. Spriggs, Director of Development Services  
Evelyn Kimeu, First Assistant City Attorney  
James Santangelo, Assistant City Attorney  
Jennifer Hobbs, Assistant City Engineer  
Jennifer Gomez, Planning Manager  
Thomas White, Planner II  
Egima Brown, Planning Technician

**Others Present:**

**3. READING OF MINUTES:**

- (1) Chairman Brown-Marshall called for a motion to accept the December 13, 2017, Planning and Zoning Commission meeting minutes.

**Motion:** Approval of the December 13, 2017, meeting minutes

**Made By:** Commissioner Marshall

**Second:** Commissioner Rose

**AYES:** Chairman Brown-Marshall, Commissioner O'Malley, Commissioner Brightwell, Commissioner Haney, Commissioner Pearson, Commissioner Rose, Commissioner Goff, Commissioner Parker

**NAYS:** None

**ABSTENTIONS:** 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 – Otis T. Spriggs

Introduced Egima Brown who replaced Nancy Desobry upon her retirement. Reminded the Commission about the City's annual Board, Committee, and Commission Thank You reception scheduled for February 9, 2018 at the new City Visitor's Center.

- (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 Calvary Indian Fellowship Church Subdivision.

**Motion:** The Planning Commission grant approval of the preliminary plat for Calvary Indian Fellowship Church Subdivision.

**Made By:** Commissioner Haney  
**Second:** Commissioner Pearson

**AYES:** Chairman Brown-Marshall, Commissioner O'Malley, Commissioner Brightwell, Commissioner Haney, Commissioner Pearson, Commissioner Rose, Commissioner Goff, Commissioner Parker

**NAYS:** None  
**ABSTENTIONS:** None

The motion passed.

## 7. ZONING MAP AMENDMENTS

### A. PUBLIC HEARING FOR A PLANNED DEVELOPMENT

(1) Public hearing to receive comments for or against a request by Jacob Burgus, TBG Partners to amend the regulations and restrictions of PD, Planned Development District #36 pertaining to Building Regulations-Architectural Standards; 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 #36 is located on the southwest corner of the intersection of Bees Passage and Sienna Parkway and includes a shopping center containing a Timewise gas station (4225 Sienna Parkway, Suite 100), a Sienna Cleaners (4225 Sienna Parkway, Suite 300); and a child care center, the Learning Experience at 4112 Bees Loop.

Mrs. Jennifer Gomez presented this item stating PD #36 was approved in the early 2000's. It required the architecture for development within that PD to consist of a fully hip and gable pitched roof.

The applicant is requesting to modernize the regulations in this PD to apply the City's current standards. Sienna Property Owner's Association standards would also apply.

**Motion:** To close the public hearing.

**Made By:** Commissioner Haney  
**Second:** Commissioner Goff

**AYES:** Chairman Brown-Marshall, Commissioner Pearson, Commissioner Brightwell, Commissioner O'Malley, Commissioner Goff, Commissioner Haney, Commissioner Rose, Commissioner Parker

**NAYS:** None  
**ABSTENTIONS:** None

The motion passed.

**Motion:** The Planning & Zoning Commission adopt this as a final report and forward to City Council with a positive recommendation.

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

**AYES:** Chairman Brown-Marshall, Commissioner Rose, Commissioner Pearson, Commissioner Brightwell, Commissioner O'Malley, Commissioner Goff, Commissioner Haney, Commissioner Parker

**NAYS:** None

**ABSTENTIONS:** None

The motion passed.

## 8. ZONING TEXT AMENDMENTS

### A. CONSIDERATION FOR AMENDMENTS REGARDING FINES

- (1) Discuss possible amendments to the Zoning Ordinance regarding fines.

Mr. Otis Spriggs presented this item. This item pertains to section 22 of the zoning ordinance. This section addresses violations to any of the zoning ordinances and ordinances that are related to property maintenance and accessory items which are attributed to property. Fines are taken through the court system through the violation process that is currently in place. Under the current standards, each occurrence is fined up to \$500 per day.

The City's Code Enforcement Task Force reviewed the proposed amendments. The proposed amendments seek to enhance section 22. Section 9.14 was also reviewed.

Mr. Spriggs requested input of the Planning and Zoning Commission for the amendments. Changes will be presented to the Commission in a preliminary and final report prior to offering a recommendation to City Council by April of 2018.

Requested amendments include:

- (a) \$100 for a first conviction.
- (b) \$250 for a second conviction of the same violation within any 12-month period: and
- (c) \$500 for a third or subsequent conviction of the same violation within any 12-month period.

An offense under subsection 9.14, related to trash disposal; regulation of the Missouri City zoning ordinance is punishable by a fine of not less than;

- (a) \$50 for a first conviction;
- (b) \$250 for a second conviction of the same within any 12-month period; and
- (c) \$500 for a third or subsequent conviction of the same violation within any 12-month period.

The amendment will allow prosecutors to receive compliance on violations.

Mr. James Santangelo informed that fines are Class C misdemeanors per state law and cannot exceed \$500. Fines can be assessed per day or per violation.

Mr. James Santangelo informed that research was conducted on neighboring communities and found that neighboring communities do not fine past \$500.

- (2) Consider authorizing staff to call a public hearing.

**Motion:** To call a public hearing to consider amendments to the zoning ordinance regarding fines.

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

**AYES:** Chairman Brown-Marshall, Commissioner Goff, Commissioner Rose, Commissioner Pearson, Commissioner Brightwell, Commissioner Haney, Commissioner O' Malley, Commissioner Parker

**NAYS:** None

**ABSTENTIONS:** None

The motion passed.

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

### A. PARKLAND DEDICATIONS

Consider adoption of a recommendation to City Council regarding a parkland dedication proposal for Hagerson Road Tract.

Mr. Thomas White presented this item stating that on December 7, 2017, the Parks and Recreation Board recommended the acceptance of the Hagerson Road Tract.

Staff recommends the adoption of the Hagerson Road Tract to City Council as a proposed parkland dedication.

Kathryn Edwards with BGE Kerry R. Gilbert and Associates, land planning consultants for the Hagerson Road Tract, addressed the concerns of access to the parkland. Access is available on Hagerson Road and continues further west.

**Motion:** The Planning and Zoning Commission adopt this as its final report and forward to City Council with a positive recommendation

**Made By:** Commissioner Haney  
**Second:** Commissioner Pearson

**AYES:** Chairman Brown-Marshall, Commissioner Rose, Commissioner Goff, Commissioner Pearson, Commissioner Brightwell, Commissioner Haney, Commissioner O'Malley, Commissioner Parker

**NAYS:** 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**

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Egima Brown