



## PLANNING AND ZONING COMMISSION MEETING JANUARY 11, 2005

The Planning and Zoning Commission met in regular session at Stafford City Hall on January 11, 2005 with the following in attendance:

### **Present:**

Maria Alvarado  
Alma Birdwell, Chairman  
Joseph Olickan  
Press Robinson  
Joe Rome, Secretary

Mayor Leonard Scarcella  
Lawrence Vaccaro, Jr., Director - Public Works  
Cheryl Wilson, City Attorney, Olson & Olson

### **Absent:**

Christine Rector

### 1. **Discussion and consideration of the December 7, 2004 Planning & Zoning Commission Minutes.**

**Maria Alvarado made a motion to grant approval of the December 7, 2004 Planning and Zoning Commission minutes with one correction. Joe Rome seconded the motion with all present voting in favor.**

### 2. **Discussion and consideration of final plat approval of The Fountains, Section One, Replat of Unrestricted Reserve "H".**

Bob Jones placed the drawing on the board and described its geographic location. Mr. Jones noted that a lien holder's acknowledgement or subordination statement is required. The plat meets City of Stafford platting requirements and Jones & Carter recommends final plat approval subject to the Letter of Conditions.

**Maria Alvarado made a motion to grant final plat approval of The Fountains, Section One, Replat of unrestricted Reserve "H" subject to Jones & Carter's Letter of Conditions. Press Robinson seconded the motion with all present voting in favor.**

### 3. **City Engineer's Report and discussion of:**

(a). **Progress of developments on US 90A and railroad relocation**

**project.**

- (b). Stafford/Staffordshire Road project and update on Fort Bend County Mobility projects.**
- (c). Local street and drainage improvements and effect of proposed bond sale.**
- (d). Consideration of appropriate action on items (a) – (c)**

Bob Jones gave an overview of their Monthly Status Report and Progress Summary noting that the January 10, 2005 US 90A meeting went extremely well. Mr. Jones said a few contracts were signed and TxDOT had prepared a sequencing report projecting three years of phasing. Mr. Jones also stated that a letting date was proposed for April or May.

Cheryl Wilson commented on the Tri-Party Agreement, Property Exchange Agreement and the TXI Spur Realignment Agreement. Ms. Wilson noted that the TXI Spur Realignment Agreement has been finalized, is in final form and should be back within a week. The Maintenance Agreement and supplemental agreements are still being processed.

Lawrence Vaccaro, Jr. gave an overview of the Murphy Road Business Park acquisition and stated that the January 10 closings went well and indicated that 50% of those closed had already moved and that the remainder of those tenants closed would be out by the end of the month. Mr. Vaccaro stated that the final offer letters had been sent for two more close to closing, the tract west of 1092 had not yet closed and that the ROW acquisitions are progressing very well.

Mayor Scarcella noted that there were over 80 tenants involved and that the City of Stafford should be aware of the cost of \$100 million, which is \$ 8 million from the City, \$72 million plus an addition \$20 million from TxDOT and \$2 million from the Fort Bend Mobility fund. The Mayor stated that there are some enhancements and some contractual obligations for the City from these SEDC funds and considering all this, to keep in mind that Missouri City and Stafford improvements will begin at the same time followed by the Sugar Land section resulting in continuous movement. The Mayor also said that over the last five months, all the people power and effort by TxDOT as been incredible. The Mayor also mentioned a few of the complicating aspects such as the sound wall issue for Sugar Creek Homes Association.

Mayor Scarcella mentioned the upcoming January 26 Town Hall meeting at the Civic Center and noted that there may be a summary presentation for the City citizens to have an understanding of what is about to happen on US 90A.

Bob Jones stated that the Stafford/Staffordshire Road Improvement Project is not on Fort Bend County's list for funding yet because Jones & Carter does not have 100% approval to do a study, which is keeping the City from being on the list.

**4(a) Presentation, discussion and possible action on an application to amend the Zoning Ordinance to change the maximum height**

**requirement for hotels and motels in the Mixed Use –1 zoning district, from 2-story to multi-story, subject to the granting of a Specific Use Permit.**

Gene Bane gave a presentation and overview of the proposal to amend the zoning ordinance to allow multi-story hotels and motels.

Mr. Michael Mahoney, Development Partner - W.I. Realty Acquisition Corporation, representing the hotel developer gave a description of the package presented and explained why the amendment is needed to proceed.

Discussion ensued regarding:

- Zoning district concerns
- Shadows created by a 6-story complex and views obstructed
- Single-family dwelling concerns
- Available fire-fighting apparatus and interlocal agreement with Sugar Land for fire fighting assistance

**Joe Rome made a motion to adopt the application as the Planning and Zoning Commission's preliminary report. Press Robinson seconded the motion with all present voting in favor.**

Discussion ensued regarding:

- Planning & Zoning Commission vs. City Council approval and disapproval
- Hearing applications
- Preparing ordinances
- Public Hearing responses
- Delivery of ordinance timeframe
- Process of complete package delivery prior to meeting date

**4(b) Public Hearing on the application described in Item 4(a).**

Alma Birdwell officially opened the Public Hearing.

Mr. Michael Mahoney said that the owners are in favor of the application and elaborated on how the proposed structure will be a very safe concrete building.

Mr. Ron Smith, architect with Mayse & Associates, Inc. representing the developer stated that Mayse & Associates, Inc. is in favor of the application.

No other parties came forward either for or against.

Alma Birdwell officially closed the Public Hearing.

**4(c) Discussion and possible action to adopt a final report and approve a recommendation to City Council on the adoption of an ordinance amending Chapter 26 of the Code of Ordinances to change the maximum height requirement for hotels and motels in the Mixed Use – 1 zoning district, from 2-story to multi-story, subject to the granting of a Specific Use Permit.**

Cheryl Wilson gave an overview of the ordinance.

**Press Robinson made a motion to adopt the ordinance amending Chapter 26 of the Code of Ordinances of the City as the Planning and Zoning Commission's Final Report and to recommend that City Council adopt the ordinance as presented. Joseph Olickan seconded the motion with all present voting and it carried 4-1. Joe Rome voted against. A copy of the ordinance is attached and made a part of the minutes.**

**5(a) Presentation, discussion and possible action on an application for a Specific Use Permit to allow the construction of a six-story, 95-unit hotel on a 1.4859-acre tract of land located within the City in Zoning District MU-1 and further identified as being located at 4520 Techniplex Drive.**

Gene Bane gave a presentation and overview of the application for an SUP, the proposed construction and an explanation of requirements. Mr. Bane also noted that approval is subject to City Council's approval of the previously submitted ordinance amendment to allow multi-story hotels and motels.

Joseph Olickan requested clarification of the MU –1 zoning concerns and whether any residential views would be obstructed. Mr. Olickan also asked if there were any negative issues relating to this project and was told by Mr. Bane that there were none.

Mr. Mike Maloney elaborated on the developers desire to adhere to guidelines required and noted that the proposed structure will be an asset to the City. Mr. Maloney also noted the developer's parking ordinance compliance.

Joseph Olickan asked for clarification of traffic concerns, which involved adjacent property traffic flow.

**Joseph Olickan made a motion to accept the Specific Use Permit application as the Planning and Zoning Commission's Preliminary Report. Press Robinson seconded the motion with all present voting in favor.**

**5(b) Public Hearing on the application described in Item 5(a).**

Alma Birdwell officially opened the Public Hearing.

Mr. Ron Smith, architect with Mayse & Associates, Inc. representing the developer stated that Mayse & Associates, Inc. is in favor of the SUP application approval.

No other parties came forward either for or against.

Alma Birdwell officially closed the Public Hearing.

**5(c) Discussion and possible action to adopt a final report and approve a recommendation to City Council on the adoption of an ordinance amending Chapter 26 of the Code of Ordinances to grant a Specific Use Permit to allow the construction of a six-story, 95-unit hotel on a 1.4859-acre tract of land located within the City in Zoning District MU-1 and further identified as being located at 4520 Techniplex Drive.**

Mayor Scarcella noted that the proposed structure appears to be a quality project and will be a desirable addition to the City of Stafford.

**Press Robinson made a motion to adopt as the Planning and Zoning Commission's Final Report "that the Specific Use Permit include as Exhibit "B" the site plan labeled L.1.1, that the plans labeled A0.1 thru A7.0 be included as Exhibits "C" through "I" respectively and that a condition be included in the text of the permit to require floors 4, 5 and 6 be constructed in substantial compliance with the site plan labeled A3.0 (Exhibit "E")" and to recommend to City Council to adopt an ordinance granting a Specific Use Permit on the terms and conditions specified in the Final Report. Joseph Olickan seconded the motion with all present voting in favor.**

**6. Discussion and possible action to determine whether Commissioner Press Robinson's absence from the December 7, 2004 Planning & Zoning Commission meeting is excused or unexcused.**

**Maria Alvarado made a motion for the Planning and Zoning Commission to find Press Robinson's absence from the December 7, 2004 Planning & Zoning Commission meeting excused. Joseph Olickan seconded the motion with all present voting in favor.**

**7. Adjournment.**

**Maria Alvarado made a motion to adjourn the meeting at 9:15 p.m. Joe Rome seconded the motion and it was unanimously approved to adjourn.**

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Alma Birdwell, Chairman

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Jo Ann Holloway, Recording Secretary

