



PLANNING AND ZONING COMMISSION MEETING SEPTEMBER 12, 2006

The Planning and Zoning Commission met in regular session at Stafford City Hall at 7:30 p.m. on September 12, 2006.

Present:

Alma Birdwell, Chairman	Mayor Leonard Scarcella
Joseph Olickan, Vice Chairman	Lawrence Vaccaro, Jr., Public Wks Director
Christine Rector	Pam Madrigal, City Engineer
Joe Rome, Secretary	Gene Bane, Director of Bldg Permits & Nuisance Abatement/Zoning Administrator
Virginia Rosas	Jo Ann Holloway, P & Z Recording Secretary
Felix A. Vega	Cheryl Wilson, Attorney – Olson & Olson
Fred Woolridge	

Absent:

1. Roll call.

All commissioners were in attendance.

2. Discussion and consideration of the August 8, 2006 Planning & Zoning Commission Minutes.

Felix Vega made a motion to grant approval of the August 8, 2006 Planning and Zoning Commission minutes. Christine Rector seconded the motion with all present voting in favor.

3. (a) Presentation and discussion of master preliminary plat of The Crescent at Brand Lane being a replat of Stafford Oaks Lot 30.

Pam Madrigal placed the drawing on the board and pointed out its geographic location. Ms. Madrigal noted that the owner is proposing to plat the property into two sections; section one includes five residential lots. Ms. Madrigal also noted for clarification that part of the plat, Lot 30, was platted as part of the Stafford Oaks Subdivision but the remaining acreage had never been platted and stated that Public Works recommends approval subject to the City's Letter of Conditions.

Discussion ensued regarding the following items, which are on the Letter of Conditions.

- 35-foot curb return radius needed at intersection of Brand and proposed Crescent
- Emergency access
- Utility easements
- Fencing along Brand Lane and setbacks from collector and thoroughfare streets
- Preliminary plat process for master preliminary plats
- Setbacks and Major Thoroughfare requirements
- Zoning requirements for homes adjacent to public streets

3. (b) Public Hearing on proposed replat described in Item 3(a).

Alma Birdwell officially opened the Public Hearing. No one spoke in opposition or in favor. Ms. Birdwell officially closed the Public Hearing.

3. (c) Discussion and consideration of master preliminary plat approval of The Crescent at Brand Lane being a replat of Stafford Oaks Lot 30.

Virginia Rosas noted that all spaces on the application were not filled in and asked if it was necessary.

Pam Madrigal stated that only those areas that applied to the applicant were relevant, so it was OK to have blank spaces. Ms. Wilson noted that the information related to lien holders would have to be included on the final plat and would have to conform to the title report.

Virginia Rosas made a motion to grant preliminary plat approval of Section One of The Crescent at Brand Lane replat of Stafford Oaks Lot 30 subject to the City's Letter of Conditions. Felix Vega seconded the motion with all present voting in favor.

Felix Vega made a motion to grant master preliminary plat approval of The Crescent at Brand Lane replat of Stafford Oaks Lot 30 subject to the City's Letter of Conditions. Christine Rector seconded the motion with all present in favor.

4. (a) Presentation and discussion of preliminary plat of Houston Community College System – Southwest Stafford Campus being a replat of Greenbriar Southwest, Sec 6 – Restricted Reserves “A” and “B”.

Pam Madrigal placed the drawing on the board and described its geographic location and indicated that the applicant is platting reserves “A” and “B” and commented on the access to existing roadway frontage. Ms. Madrigal went on to describe the proposed 15' ROW dedication HCCS was willing to make to the City along the entire east property line for the widening of Stafford Road to avoid the cemetery on the opposite side of the road. Ms. Madrigal stated that Public Works recommends preliminary plat approval subject to Public Works Letter of Conditions.

Discussion ensued regarding:

- Parking and traffic flow dynamics
- Traffic mobility impact studies by HCCS
- Site plan proposal
- TxDOT's timing of traffic signals
- Possible turn-lane requirements
- Possibly imposing additional requirements on the final plat submission

- HCCS would not be required to obtain an SUP because the proposed educational facilities are permitted “by right” in the Arts and Education District

An engineer from the Teran Group representing HCCS commented from the audience that this application was for approval of the plat only and indicated that the final site plan for the future HCC campus will have been reviewed and prepared by consultants and traffic engineers and approved by City staff. The engineer went on to say that during the permitting period, he will be sure the appropriate entities work closely with Gene Bane.

4. (b) Public Hearing on proposed replat described in Item 4(a).

Alma Birdwell officially opened the Public Hearing. No one spoke in opposition or in favor. Ms. Birdwell officially closed the Public Hearing.

4. (c) Discussion and consideration of preliminary plat approval of Houston Community College System – Southwest Campus being a replat of Greenbriar Southwest, Sec 6 -- Reserves “A” and “B”.

Christine Rector made a motion to grant preliminary plat approval of Houston Community College System – Southwest Campus replat of Greenbriar Southwest, Sec 6 – Reserves “A” and “B” subject to the City’s Letter of Conditions and that the comments and concerns of the Commission related to traffic flow, street access and zoning be taken into consideration when site plans are submitted to the permit department. Joseph Olickan seconded the motion with all present voting in favor.

5. Discussion and consideration of a request for a variance from the requirement to construct Bates Lane as a 41-foot concrete curb and gutter roadway and from the requirement that a lot have a minimum of 60’ of frontage on a public street having a right-of-way width of not less than 50’.

Pam Madrigal placed the drawing on the board and described the area affected by the proposed variance. Ms. Madrigal also noted that Bates Lane is not a public street and many of the properties adjacent to it have never been platted. Ms. Madrigal went on to explain that the applicant is proposing to leave the street as-is and only provide a turn-around for traffic to U-turn.

Lawrence Vaccaro stated that this particular plat has been before City Council for the last 25 years off and on and there are still the same problems. Mr. Vaccaro indicated that unless there is something done to meet all the City’s requirements, legally no improvements can be done to the property.

Llarance Turner, R.P.L.S. with Kelly Kaluza & Associates representing the applicant stated that the applicant and Kelly Kaluza have worked closely with the City regarding this issue since 1979 when the applicant purchased that property, built an asphalt street and maintained it. Mr. Turner noted that per the City’s direction, a plat application be submitted along with an application for a variance and explained that originally the acreage involved was 7.5 of which 1.3 acres will have to be dedicated for a drainage

reserve along with the dedication of a 30' access to connect to the existing Fountaingate Drive right-of-way.

Discussion ensued regarding:

- ROW maintenance wording noted on plat & future dedication
- Possible ROW negotiations with Louis Flores property to provide the additional 30-foot dedication requirement
- Surrounding property owner's plat submittals and concrete street requirements
- Requirement to include a turn-around
- Storm sewer installation and poor drainage concerns
- Existing infrastructure and imminent utility move concerns
- Concrete curb and gutter roadway standards
- Construction of a 28' asphalt roadway (extension of current asphalt roadway to meet City's minimum construction standards)
- Existing building expansion concerns
- Private street requirements vs. public street requirements
- Clarification of previous plat submittal applicants' concrete street requirements
- Emergency vehicle access concerns and current unsatisfactory conditions
- City Fire Marshall requirement to provide a minimum 28' wide access for fire vehicles and potential for building permit to be denied if this is not provided
- Previous illegal subdivision of property
- Variance cannot be granted on a pecuniary basis or solely on economic hardship

Fred Woolridge made a motion to recommend approval of the variance as requested by the applicant including the condition that the applicant engage in bona fide negotiations to acquire the additional 30-feet of r-o-w to connect to Fountaingate, to include an additional note on the plat concerning acceptance of dedications, and modify the note on the plat regarding private streets. Felix Vega seconded the motion. The motion failed by a vote of 2-5 with Ms. Birdwell, Mr. Olickan, Ms. Rector, Mr. Rome and Ms. Rosas voting against the motion.

Felix Vega made a motion to recommend approval of the variance subject to the conditions outlined in the Public Work Department's memo, except that a 28' asphalt roadway be built, item 3(b) would be deleted, under item 4 the words "constructed to *City Standards and the conditions listed above*" would be deleted, and include the conditions that the applicant engage in bona fide negotiations to acquire the additional 30-feet of r-o-w to connect to Fountaingate, to include an additional note on the plat concerning acceptance of dedications, and modify the note on the plat regarding private streets. Fred Woolridge seconded the motion. The motion failed by a vote of 2-5 with Ms. Birdwell, Mr. Olickan, Ms. Rector, Mr. Rome and Ms. Rosas voting against the motion.

Christine Rector made a motion to recommend denial of the variance request as presented by the applicant and denial of the variance conditioned upon the recommendations outlined in the Public Works Department memo. Joe Rome seconded the motion. The motion passed 5-2 with Fred Woolridge and Felix Vega voting against the motion.

6. Discussion and consideration of preliminary plat approval of Malloy Subdivision.

Llarance Turner requested that the plat submittal be withdrawn until City Council acted on item 5.

Joseph Olickan made a motion to accept the applicant's request for withdrawal of the Malloy Subdivision plat application. Christine Rector seconded the motion with all present voting in favor.

7. Report on engineering matters:

- (a) Stafford/Staffordshire Road project including progress of right-of-way acquisition and preliminary engineering plans.**
- (b) Update on Fort Bend County Mobility projects including Fifth Street Improvements.**
- (c) Local street and drainage improvements including status of Missouri City Estates Drainage and proposed Brand Lane asphalt overlay.**
- (d) Progress of developments on US 90A and railroad relocation project.**
- (e) Consideration of appropriate action on items (a) – (d).**

Pam Madrigal gave an overview of the following:

- (a) The City is currently in the process of negotiating a Professional Service Agreement with Turner Collie & Braden (TCB) to perform right-of-way parcel mapping and various engineering services for the future widening of Stafford and Staffordshire Road from Beltway 8 to Lexington Boulevard.
- (b) Fifth Street Improvements – Fort Bend County is still in the process of obtaining approval signatures from all the necessary agencies. Once all signatures are obtained, the County will be ready to move forward with advertising the project for construction. Construction is anticipated to begin after the first of the year.
- (c) Missouri City Estates Drainage – Jones & Carter has made the final revisions to the construction plans. We plan to advertise this month with bid to be received at the October 11th regular meeting.
- (d) US 90A and Union Pacific Railroad Realignment (UPRR) Project – Referred Commission to major milestone dates included in package.

8. **Adjournment.**

Joe Olickan made a motion to adjourn the meeting at 10:28 p.m. Joe Rome seconded the motion and it was unanimously approved to adjourn.

Alma Birdwell, Chairman

Jo Ann Holloway, Recording Secretary