



**PLANNING AND ZONING COMMISSION
REGULAR MEETING
AUGUST 7, 2007**

The Planning and Zoning Commission met in regular session at Stafford City Hall at 7:30 p.m. on August 7, 2007.

Present:

Alma Birdwell, Chairman
Joe Rome
Virginia Rosas
Felix A. Vega
Fred Woolridge

Mayor Leonard Scarcella
Lawrence Vaccaro, Jr., Public Wks Director
Pam Madrigal, City Engineer
Gene Bane – Zoning Administrator
Jo Ann Holloway, P & Z Recording Secretary
Scott Bounds, Attorney – Olson & Olson

Absent:

Joseph Olickan, Vice Chairman

1. Roll call.

All Commissioners were in attendance except Joseph Olickan.

2. Discussion and consideration of the July 10, 2007 Planning & Zoning Commission regular meeting minutes.

Commissioner Rosas made a motion to approve the July 10, 2007 Planning and Zoning Commission regular meeting minutes. Commissioner Vega seconded the motion, and it carried 5 - 0.

3. Report and discussion on progress of development of proposed zoning changes for Island and other areas of City in coordination with US 90A improvements.

Gene Bane gave an overview of the meeting with Barkley Peschel, Vice President of Development & Operations for the Greater Fort Bend EDC. Ideas from various planners were discussed, which affect the Island area and FM 1092 from City limit to City limit. Mr. Bane also noted that although HEB looked at the Kroger site, it was decided not to move in there; Krogers is still considering occupancy, but more development is desired before giving it serious consideration.

Mayor Scarcella stated that Greater Fort Bend EDC has taken an interest in the Island and wants to be involved. Many major businesses and developers have been in contact with the EDC and whatever's being put on the table is being considered. The Mayor noted that timing is critical and people will start looking at building by the end of next year...if not sooner and the zoning issue is a prime component to getting this done. It is very important and there are a lot of factors to be considered and by working closely with City Council, we can come up with something for the type of development that is desired for our unique and distinct situation.

4. (a) **Presentation and discussion of a proposed ordinance of the City of Stafford, Texas, amending Chapter 102, “Zoning” of the Code of Ordinances of the City of Stafford, Texas; The same being the comprehensive zoning ordinance by adopting regulations for hotels and motels in all districts; including adopting accessibility requirements, providing for minimum number of guest rooms; providing for guest registration; and requiring security cameras; providing a penalty in an amount not to exceed two thousand dollars per day for violations; repealing all ordinances inconsistent or in conflict herewith; providing severability and savings provisions; and providing for the publication and effective date hereof.**

Gene Bane noted that at the July P&Z meeting, there was an 88-room hotel submitted for approval where there was an ordinance submitted regulating the number of rooms. Mr. Bane pointed out concerns from citizens and discussion that has occurred with the Stafford Police Chief regarding problems and criminal activity with smaller motels. The following items were of concern:

- Hotel security cameras
- A 30-day requirement to keep video tapes (should be referred to as “video recordings”
- Lock exterior doors
- Out of 19 motel/hotels in the City, 11 have over 65 units, 6 have less than 43 units and these are where the City’s problems are occurring.

Mr. Bane stated that Councilman Rose made a motion at the July 11, 2007 City Council meeting to begin the process and to refer this ordinance to the Planning and Zoning Commission for further action.

Fred Woolridge asked if the smaller units would be grandfathered in.

Gene Bane stated that they would, but adherence to various ordinance requirements could be required. Mr. Bane also noted that the West Airport Inn is known for prostitution and that it all boils down to the operator of the hotel being responsible.

Felix Vega asked about fire safety if internal access to rooms is limited.

Discussion ensued regarding:

- Criminal activity
- Monitoring/surveillance by Police Department, which is currently in conjunction with Sugar Land and Houston Police Departments
- Periodic vigilance
- Security cameras and who would check them and how often

- Video recording quality standards
- Nuisance ordinance to be used in conjunction with this proposed ordinance
 - When there's excessive criminal activity or a pattern of criminal activity
- Accessibility
- Requirement to monitor activity for tax auditing purposes (is it legal)
- Identification requirements during registration and background checks
- Various avenues and options to circumvent criminal activity

4. (b) Public Hearing on the proposed ordinance described in item 4(a).

Commissioner Birdwell opened the public hearing.

John Ferro of Ferro-Land Investments in Stafford spoke in favor of the ordinance. Mr. Ferro also commented on various options to eliminate motel/hotel criminal activity and recommended reviewing City of Houston's ordinance.

Commissioner Birdwell closed the Public Hearing.

4. (c) Discussion and possible action to adopt a final report and approve a recommendation to City Council on an ordinance of the City of Stafford, Texas, amending Chapter 102, "Zoning" of the Code of Ordinances of the City of Stafford, Texas; The same being the comprehensive zoning ordinance by adopting regulations for hotels and motels in all districts; including adopting accessibility requirements, providing for minimum number of guest rooms; providing for guest registration; and requiring security cameras; providing a penalty in an amount not to exceed two thousand dollars per day for violations; repealing all ordinances inconsistent or in conflict herewith; providing severability and savings provisions; and providing for the publication and effective date hereof.

Commissioner Rosas had concerns about hotel structures.

Gene Bane stated that developers provide 4 – 5 different options during construction approvals and noted that it is not an unusual practice.

Mr. Bane said that design engineers would have to answer that particular question.

Commissioner Rosas asked if the proximity to schools, day care centers and churches could be enforced as part of the ordinance.

Mr. Bane warned against the ramifications involved if motel/hotel proximity limitations were imposed, especially with amount of churches located in the City. Mr. Bane went on to say that a large hotel is desirable in the Island area and that type of provision would ultimately destroy that aspiration.

Commissioner Rome made a motion to adopt the report as presented and to recommend that City Council approve the ordinance with the request that the following items be included as provisions:

- **The nuisance ordinance**
- **Ways to check for criminal activity and some type of tax auditing procedure**
- **The hotel/motel shall maintain a copy of the photographic identification for thirty (30) days vs. seven (7), as well as the video tapes from security cameras.**
- **A quality standard for security cameras including a fine for broken cameras**
- **Grandfathering requirements to include adherence to all of the above**

Commissioner Vega seconded the motion, and it carried 5 - 0.

5. (a) Presentation and discussion of preliminary plat of The Fountains, Sec 1, Second Replat of Unrestricted Res “H”.

From the plat drawing that was projected, Pam Madrigal pointed out the geographic location of the property, noted that it is a 6.7 acre area that the developer is proposing to separate into three reserves. Public Works is recommending preliminary plat approval subject to the City's Letter of Conditions.

Commissioner Rosas asked why the property was being replated.

Ms. Madrigal noted that platting is required when the proposed development crosses over into adjacent property not owned by the developer; thus, platting divides the property into the needed acreage.

Mayor Scarcella noted that the reserves for the 88-room hotel comply with everything in the City's proposed ordinance, so all the provisions just recommended can be applied to the current ordinance discussion and noted that this is a good example.

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

Commissioner Birdwell opened the Public Hearing.

A representative of Fountains Entertainment stated that the developer is willing to comply with the City's hotel standards and emphasized that this development is not a motel. The representative stated that Fountains Entertainment is in favor of the development.

Commissioner Birdwell closed the Public Hearing.

5. (c) Discussion and consideration of preliminary plat approval of The Fountains, Sec 1, Second Replat of Unrestricted Res “H”.

Commissioner Rome made a motion recommending preliminary plat approval of The Fountains, Sec 1, Second Replat of Unrestricted Res “H” subject to the City’s Letter of Conditions. Commissioner Woolridge seconded the motion, and it carried 5 – 0.

6. (a) Presentation and discussion of preliminary and final plat of Shoppes on Dulles.

From the plat drawing that was projected, Pam Madrigal pointed out the geographic location of the property and City limits, noting that the developer proposes to divide the property into two reserves. Ms. Madrigal commented on needed requirements to meet the City’s standards and stated that Public Works recommends approval subject to the City’s Letter of Conditions.

Commissioner Rosas stated that there was a concern that the engineers aren’t meeting the City’s basic platting requirement standards upon submission and noted that it is difficult to understand why plat submittals aren’t denied during submission for this infraction. Commissioner Rosas asked if there was a pre-plat form that could be created.

Scott Bounds stated that the City has a limited amount of time (7 days) for submittal and noted that it is not enough time for engineers to adhere to redlining changes.

Discussion ensued regarding:

- Wasting the Director of Public Works and the City Engineer’s time for redundant perusal of plats
- Hand holding...constantly walking engineers and surveyors through the City’s process
- Engineers need to be more responsive to City’s platting requirements
- Large variety of entities involved in a developer’s platting process...not just the City of Stafford; thus, confusion occurs
- Professionalism appears to be lacking in the City’s platting process and plats are lacking quality of submission.
- Due diligence not being done by submitting engineers and developers
- The City’s plat submittal process is just fine as it is.

Ms. Madrigal explained the current platting processes, which ultimately meant that a plat cannot be recorded without the City’s signatures, which does not occur until all the City’s Letter of Conditions have been met.

6. (b) Public Hearing on proposed replat described in item 6(a).

Commissioner Birdwell opened the Public Hearing.

No one spoke against or in favor of the proposed replat of the Shoppes on Dulles.

Commissioner Birdwell closed the Public Hearing.

6. (c) Discussion and consideration of preliminary and final plat approval of Shoppes on Dulles.

Felix Vega made a motion recommending preliminary and final plat approval subject to the City's Letter of Conditions. Fred Woolridge seconded the motion, and it carried 4 – 1. Commission Rosas voted against the motion.

7. Report on engineering matters:

- (a) Stafford/Staffordshire Road project including progress of right-of-way parcel mapping and preliminary engineering plans and timing of funding from Fort Bend and Harris Counties.**
- (b) Fifth Street Improvement project.**
- (c) Progress of developments on US 90A Improvement Project including construction activities, current mobility situation and proposed landscape enhancements.**
- (d) Progress of development of US 59 Enhancement Project including proposed landscape plantings and monument design and installation.**
- (e) Status of Fort Bend County Mobility Projects, including Brand Lane, Dulles Avenue and Kirkwood Road Improvement Projects including status and time of funding from Fort Bend County.**
- (f) Local street and drainage improvements.**
- (g) Consideration of appropriate action on items (a) – (f).**

Pam Madrigal gave an overview of the attached Monthly Status Report.

8. Discussion and possible action to determine whether Commissioner Fred Woolridge's absence on July 10 is excused or unexcused.

Commissioner Rome made a motion to accept Commissioner Woolridge's absence as excused. Felix Vega seconded the motion, and it carried 5 – 0.

9. Adjournment.

Commissioner Rome made a motion to adjourn the meeting at 8:55 p.m. Commissioner Woodridge seconded the motion and it was unanimously approved to adjourn.