



**PLANNING AND ZONING COMMISSION
REGULAR MEETING
OCTOBER 9, 2007**

The Planning and Zoning Commission met in regular session at Stafford City Hall at 7:30 p.m. on October 9, 2007.

Present:

Alma Birdwell, Chairman
Joseph Olickan, Vice Chairman
Joe Rome
Felix A. Vega

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:

Virginia Rosas
Fred Woolridge

1. Roll call.

All Commissioners were in attendance except Commissioners Rosas and Woolridge.

2. Discussion and consideration of the September 11, 2007 Planning & Zoning Commission regular meeting minutes.

Commissioner Rome made a motion to approve the September 11, 2007 Planning and Zoning Commission regular meeting minutes. Commissioner Vega seconded the motion, and it carried 4 - 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 last week's meeting with Barkley Peschel, Vice President of Development & Operations for the Greater Fort Bend EDC, Mayor Scarcella, Joe Rome, Fred Woolridge, Mike Sachs and Gwen Goodwin. Mr. Bane stated that Mr. Peschel is still in the process of trying to locate a consultant and prepare a contract.

Mayor Scarcella stated that there is discussion at City Council meetings and the general consensus is to make sure that with the assistance of Olson and Olson, LLP, the Island contract is specific to Stafford; one that addresses those situations in the City with unique aspects.

4. Discussion and possible action related to the height of buildings and structures, and to the public notice or hearings required prior to permitting development of property for buildings and structures more than 2 stories high.

Scott Bounds noted that Councilman Smith expressed concern about the lack of notification to property owners abutting multi-story buildings; especially hotels and motels that are more than three stories high. Mr. Bounds elaborated on the current type of notices given for permitting, public hearings during the replat process. Mr. Bounds gave the following examples of what the Planning & Zoning Commission can do regarding improvement of the process:

- Guidelines can be implemented depending on the height of the building(s).
- Require that all buildings over a given height have an SUP.
- Prepare a report to City Council with updated requirements.

Mr. Bounds stated that tonight's discussion was mainly to listen and give the matter some consideration.

Mr. Bane commented on the chart included in the agenda package, which graphically depicted current permitted building heights for the City's various zoning locations. Mr. Bane also pointed out on the projected zoning map areas where multi-story buildings could be built.

Mayor Scarcella noted that Commissioner Smith was also concerned about developers building so close to residential subdivisions allowing for visual access into private property. The Oasis Medical Center near the Grove West subdivision area was given as an example. The Mayor stated that the Grove West subdivision residents were unaware of the medical center's construction and these residents want to know how concerns can be addressed to circumvent future construction of multi-story buildings.

Lawrence Vaccaro, Jr. recommended reviewing the existing setback standards for multi-story buildings adjacent to residential properties and how these setbacks are protecting adjoining residential properties. Mr. Vaccaro also suggested that someone determine which areas in the City this situation could actually affect; especially since there's not that much property where a multi-story could be constructed.

Mayor Scarcella noted that the City is approaching a position where the only way to build is up and that the standards need to be spelled out clearly to protect residential property values. The Mayor indicated that the creation of a set of standards and procedures that will take the City far into the future is extremely important.

Mr. Bane noted that with the cost of square footage rising, Stafford Island will be positioned strategically for a multi-story residential complex. Mr. Bane stated that is important to make sure the City doesn't lose out due to tight restrictions on height.

Commissioner Vega recommended a workshop to discuss the issues for a clearer plan before recommending something to City Council.

Commissioner Birdwell noted that once the US 90A construction is done, a better vision would be forthcoming.

Mayor Scarcella commented on the proposed planning based on the premise of economic development and elaborated on the imminent sales tax dollars.

Commissioner Rome stated that focus should remain on getting the Island zoning plans underway before starting another project; let's hear what City Council has to say before a workshop is considered. Commissioner Rome indicated that working in conjunction with City Council would be ideal.

5. (a) Presentation, discussion and action on application of Williams Sugar land Services, LLC and Odyssey Healthcare Operating A, LP for a specific use permit to allow the development and operation of a funeral home at 12790 South Kirkwood Drive in Southwest Techniplex Sec 4, Unrestricted Reserve "D", a 1066 acre tract of land within the City's zoning district RCT.

Gene Bane gave an overview of the applicant's request noting that it is an existing vacant building previously occupied by MacGregor Medical Association. Mr. Bane indicated that although the current parking is not sufficient, the applicant proposes additional parking to accommodate the City's standards.

Discussion ensued regarding the following. Applicant's representative, Katrina Bogany, also participated in the discussion:

- Insufficient parking and too small a drive way. (enlarging or adding additional drive ways are not viable options)
- Description of usage overview.
- Previous applicant's who did not adhere to proposed parking restrictions.
- Lack of fixed seating.
- Applicant's inconsistencies regarding arrangements with several area churches.
- Applicant's failure to provide a current Texas operating license. Current operation of a funeral home in Louisiana without a funeral director's license.
- Questionable handling of pet embalming in close proximity to humans.
- Traffic congestion concerns on Kirkwood Road.

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

Commissioner Birdwell officially opened the public hearing.

The applicant's representative, Katrina Bogany, was in favor of the specific use permit. Ms. Bogany noted that the proposed funeral home would not only be a wonderful addition to the City, but it would bring in revenue in the form of sales tax. Ms. Bogany pointed out the due diligence of the applicant noting national recognition for the applicant's skills as a funeral director and business owner.

Mr. Bane produced a letter from an area business who had received the notice of Public Hearing. Per the letter, Ms. Gloria Chiu, Managing Partner of The Offices of the Millennium, Ltd. expressed her concerns regarding the parking and congestion

that would significantly increase on South Kirkwood. Mr. Chiu also noted the existence of a funeral home further down Kirkwood is too close for a 2nd funeral home, which would have a serious impact on customers getting to surrounding area businesses. Ms. Chiu was not in favor of the proposed specific use permit.

Commissioner Birdwell closed the Public Hearing.

5. (c) Discussion and possible action to adopt a final report and approve a recommendation to City Council on the application described in item 5(a).

Commissioner Rome made a motion recommending denial of the specific use permit based on the proposed parking not being adequate for a funeral home, applicant's state of Texas unlicensed status and applicant's inconsistencies regarding arrangements with several area churches. It is recommended that the applicant's specific use permit along with the protest letter from the Offices of the Millennium, Ltd. be used as the final report to City Council. Commissioner Olickan seconded the motion, and it carried 4-0.

6. 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.

Commissioner Vega stated that drivers along the section of Fifth Street under construction are breaking the law and endangering the lives of children by going

around the buses when they're picking up children. Additionally, vehicles are driving the wrong way down the section posted as a one way.

Mayor Scarcella recommended that the City Engineer, Pam Madrigal, contact the Fort Bend County Sheriff's department and promptly report this situation.

Ms. Madrigal agreed that traffic violators of this type should be reported promptly and that a letter would be sent to the Fort Bend County Sheriff's department as well as a phone call.

Mayor Scarcella commended Public Work's Pam Madrigal and Lawrence Vaccaro, Jr. for diligently handling the construction concerns in a fiscally responsible way.

7. Adjournment.

Commissioner Rome made a motion to adjourn the meeting at 9:18 p.m. Commissioner Vega seconded the motion and it was unanimously approved to adjourn.

Commissioner Birdwell, Chairman

Jo Ann Holloway, Recording Secretary