



REGULAR PLANNING AND ZONING COMMISSION
MEETING
TUESDAY, SEPTEMBER 13, 2011
CITY HALL, 2610 SOUTH MAIN, STAFFORD, TEXAS
7:30 P.M.

The Planning and Zoning Commission met at Stafford City Hall at 7:30 p.m. on September 13, 2011.

Present:

Lali Castillo
Arturo Jackson
Virginia Rosas, Vice Chairman
Felix A. Vega, Chairman

Mayor Leonard Scarcella
Charles W. Russell, P.E., City Engineer
Gene Bane, Zoning Administrator
Jo Ann Holloway, Recording Secretary
Donna Johnson, City Attorney, Olson & Olson

Absent:

Helen Gee
Joe Rome, Secretary

1. **Roll Call.**

Commissioner Vega called the meeting to order at 7:30 p.m. All Commissioners were in attendance except Commissioner Gee and Commissioner Rome.

2. **Discussion and consideration of the August 9, 2011 Regular Planning & Zoning Commission minutes.**

Commissioner Rosas made a motion to approve the August 9, 2011 Regular Planning & Zoning Commission meeting minutes. Commissioner Castillo seconded the motion, and it carried 4 – 0.

3. (a) **Discussion of an ordinance of the City of Stafford, Texas, amending Chapter 102 of the Code of Ordinances of the City, the same being the Comprehensive Zoning Ordinance, by granting a Specific Use Permit to the Islamic Society of Greater Houston, an existing Assembly Group A-3 occupancy, specifically, a religious facility, on a 9.844 acre tract of land located within the City in Zoning District MU, and further identified as being located at 610 Brand Lane; providing requirements and conditions for this Specific Use Permit; providing for severability; providing a penalty in an**

amount not to exceed two thousand dollars for violation of any provision hereof; and finding and determining that the meeting at which this ordinance is passed was open as required by law.

Gene Bane stated that the City had received an SUP and pointed out the geographical location on the zoning map and described the current use of this property as pre-k thru 3rd grade class rooms and a prayer hall. Mr. Bane noted that this property was built in phases and that Phase I is complete. Future phases are proposed to go through 2016. Now that an expansion is proposed, Phase II requires an SUP. Mr. Bane also stated that the City Engineer has been working with this applicant on the detention pond requirements and that it meets all applicable ordinances.

Mr. Mike Treadway of Mike Treadway Architect, Inc. gave an overview of the applicant's proposed construction and described, in detail, what is proposed for each phase of the anticipated expansion for additional buildings and parking for the existing growth. Mr. Treadway also presented flow-charts, photographs and site plan.

Commissioner Jackson asked what type of lighting was proposed.

Mr. Treadway stated that the lighting design had not been completed yet, but assured the Commission that the lighting design that is being worked on is for minimized lighting for less glare in the area and described their current property's proximity to the surrounding homes.

Commissioner Rosas asked if a high school was planned for the future.

Mr. Treadway stated that pre-k to the 3rd grade would not change and no high school is planned.

Commissioner Castillo asked for the student count.

Mr. Abdul Hafiz Khatri of 5311 Deerbourne Chase Dr., Sugar Land, TX and secretary of the Islamic Society of Greater Houston, Stafford branch stated that there are currently 150 students and the growth is anticipated to go to 200 and described the school's sports activities.

Commissioner Rosas asked if traffic concerns on Brand Lane had been addressed since tremendous growth is anticipated.

Mr. Khatri stated that there is a drive-thru and most of their congregation live in the area. He also gave the hours of prayer hall attendance, school hours and how many people are usually involved, which is 100 – 150 on

Fridays...their most active day. Mr. Khatri also noted the Stafford Police Department is used during those particular hours.

Commissioner Rosas asked what traffic impact was in the evening hours.

Mr. Khatri stated there was not any traffic during the evenings and there are no homes that would be affected other than the two across the street and those families are part of the congregation. Mr. Khatri also noted that the site is a gated facility and once a year Ramadan occurs and that is the only time night activities occur.

Commissioner Rosas asked if all their available acreage on this site will have been used by the end of this proposed project.

Mr. Khatri stated that there would still be 5 acres of undeveloped space.

Commissioner Vega asked if the City Brand Lane project was under development.

Charles Russell stated that the Brand Lane project was scheduled to let in the Spring of 2012 and noted that the only concerns for this site would be left-turn movements.

Commissioner Rosas asked if the Brand Lane project included any anticipated growth.

Mr. Russell stated that it did.

Commissioner Jackson asked about ingress and egress management.

Mr. Russell confirmed that adequate access management is already in place for that area.

Mayor Scarcella asked if Phase II of this project included all proposed parking.

Mr. Treadwell confirmed that Phase II of this project did include all proposed parking.

Mayor Scarcella asked what the congregation's peak attendance was during some of their most important services.

Mr. Khatri stated that approximately 250 – 300 people are on the property during their most important services.

Mayor Scarcella asked if that number would grow after the proposed extension.

Mr. Khatri stated that it would not and elaborated on the need to expand for their existing students and the demand for current parking needs.

Commissioner Jackson asked if there were activities in the surrounding area such as parks or people jogging, etc.

Mr. Khatri stated that there are no parks close or clusters of people around and that the facility is open to the public.

3. (b) Public Hearing on ordinance as described in item 3(a) above.

Commissioner Vega officially opened the Public Hearing.

The following stepped forward in favor of the SUP:

Abdul Hafiz Khatri
Asif Mumtaz
Mike Treadway
Altaf Solanki
Imthiyas Ahamed
Dr. Vajahat Yar Khan
Dr. Mujib Ashrofi
Peter H. Wakali
M. Salin
Farha Naz
Ashley Hammad
F. Cochinwale

No one came forward to oppose the SUP.

Commissioner Jackson thanked everyone in the audience for coming noted how important the public's attendance at these Public Hearings and stated how helpful it is to the Commissioner to get a comprehensive understanding of the community's concerns.

Commissioner Vega stated that he appreciates the Everest Academy and the wonderful things the facility is doing for the community. The Public Hearing was officially closed.

3. (c) Discussion of comments received during the Public Hearing.

There were no comments.

3. (d) Consideration of appropriate action on item 3(a).

Commissioner Castillo made a motion to recommend that City Council approve the SUP as presented and to include the City's Engineer site review memo. Commissioner Rosas seconded the motion, and it carried 4 – 0.

Applicant commented on how he polled the neighborhood for approval.

4. (a) Discussion of an ordinance of the City of Stafford, Texas, amending Chapter 102 of the Code of Ordinances of the City, the same being the Comprehensive Zoning Ordinance, so that certain property located at 411 Dulles Avenue and described as tract or parcel of land containing 0.1318 acres being called Lot 1 of Mendoza Unrecorded Subdivision conveyed to Juan Perez in an instrument recorded in volume 402 page 311 of the Deed Records of Fort Bend County out of the South ½ of Tract 66 of Stafford Oaks Subdivision according to the map or plat thereof; recorded in Volume 255, page 484 of the Deed of Records of Fort Bend County Texas shall be rezoned from Single Family Residential (District SFR) to Mixed Use (District MU); providing that the zoning map shall be changed to reflect the zoning district change from Single Family Residential (District SFR) to Mixed Use (District MU); providing for severability; providing a penalty in an amount not to exceed two thousand dollars for violation of any provision hereof; and finding and determining that the meeting at which this ordinance is passed was open as required by law.

Gene Bane stated that the City received an application to change a zoning area from SFR to MU and pointed out on the zoning its geographic location.

Commissioner Castillo asked if the applicant was living in the property location.

The applicant, Rozina Lidnani, stated that she was currently not living at the property address.

Commissioner Castillo stated that the property address is surrounded by MU zoning and it seems like a feasible option.

Commissioner Rosas asked if the exempt home status would change if the zoning status changed from SFR to MU.

Ms. Donna Johnson, City Attorney, stated that it would if it were used as commercial, they would have to comply with MU ordinance requirements and it only affect that particular parcel.

Mayor Scarcella stated that if this application was authorized, the owners would only have to adhere to this requirement as development or improvements occurred.

Commissioner Rosas asked if it goes to MU and they chose to use it as commercial, would the drive way have to be a concrete drive.

Mr. Russell stated that it would have to be a concrete drive way as well as the street would need to be a paved concrete and gutter street and not a dirt road.

Commissioner Jackson asked, if the applicant lived at the resident and used it as a commercial business also, how would that affect their requirements.

Mr. Bane stated that the same rules apply.

4. (b) Public Hearing on ordinance as described in item 4(a) above.

Commissioner Vega officially opened the Public Hearing.

Mr. Bane described read two letters that were received in opposition of the applicant's request to change the zoning from SFR to MU at 411 Dulles Avenue. Since those two citizens could not be in attendance at this Public Hearing, they asked that their letters be recorded as not in favor of this request.

Commissioner Vega stated that the letter of approval in the applicant's packet and one of the recent letters sent to the City in opposition appear to be from the same person and ask for clarification.

Commissioner Vega described a Texas local government code statement regarding the percentage of public hearing votes for in favor vs. opposing comments and how that might weigh on a decision to grant approval.

Donna Johnson noted that those percentages pertain to City Council's approval and not the Planning and Zoning Commission's recommendation.

Ms. Rozina Ladhani stepped up in favor of the approval.

Commissioner Vega officially closed the Public Hearing.

4. (c) Discussion of comments received during the Public Hearing.

Commissioner Castillo suggested changing the location of where the school bus drops children off.

Commissioner Rosas stated that if it's changed to MU, the impact on traffic would be a concern.

Discussion ensued regarding:

- Letters of opposition and how they impact Commissioners' recommendation.
- Safety of the children in a MU area.
- Effect on residential tax rates.

Commissioner Jackson noted that there was not a clear consensus on how the community really feels and that there should be more recent communication showing their support.

Commissioner Rosas asked if the item could be tabled until the applicant provided more current communication from the surrounding residents.

Mayor Scarcella noted that this type of activity is what a public hearing is all about and that the applicant might consider asking those residents to show up in person at the public hearing and be prepared to respond to their concerns. It's more impressive if you are here to state your favor or not in favor. This is one of those times when your actual appearance would carry more weight than the letters.

Commissioner Castillo noted that most of the houses in that area already have commercial business behind their homes.

Commissioner Jackson thanked the audience for their participation and asked that they be patient while the Commissioners make sure the property owners get heard.

Commissioner Jackson made a motion to table item 4(a) until the applicant could provide more current communication from the surrounding property owners in his documentation than was provided. Commissioner Rosas seconded the motion, and it carried 4 – 0.

4. (d) Consideration of appropriate action on item 4(a).

The item was tabled.

5. Report on engineering matters:

- (a) **Progress of Stafford/Staffordshire Road project addressing construction, illustration of new First Street/Staffordshire Road intersection and attaining state funding for extension from 5th street to Scanlin Road;**
- (b) **Progress of developments on the US 90A Improvement Project;**

- (c) **Status of Mobility Projects addressing Dulles Avenue and Brand Lane;**
- (d) **Local street and drainage improvements; and**
- (e) **Consideration of appropriate action on Items 6(a) - 6(d).**

Mr. Russell gave an overview of the monthly status report.

Commissioner Rosas asked if there were any plans for sidewalks in front of the school included in the street construction.

Mr. Russell noted that there were no plans for a sidewalk in front of the school, but stated that the SMSD superintendent receives yearly notification from TxDOT regarding a program called Safe Route to School, which would cover the sidewalk concerns.

Commissioner Rosas commented on how trash in the city streets seems to be out of control and recommended that SM-TV do a brief segment on keeping the City of Stafford streets clean and to remind people to stop littering...campaigning to keep our streets beautiful.

Commissioner Jackson asked if a moment of silence for 9/11 would be appropriate.

Commissioner Vega called for a moment of silence in recognition of 9/11.

6. Adjournment.

Commissioner Rosas made a motion to adjourn at 10:00 p.m.
Commissioner Jackson seconded the motion, and it carried 4 – 0.

Commissioner Felix A. Vega, Chairman

Jo Ann Holloway, Recording Secretary