

Robert Franklin, Chairman
Anne Sundquist, Vice Chairman
Josh Jakubik, Secretary
Trevor Brown
Holly Knee
Tom Mayhew
Scott Shelburne



City Administrator, Don Doering
City Secretary, Kandice Garrett
City Attorney, Leonard Schneider
City Engineer, AEI, Mike Kurzy
Planning Consultant, Tana Ross

MINUTES OF THE PLANNING & ZONING COMMISSION PUBLIC HEARING AND REGULAR MEETING JANUARY 20, 2022

A meeting of the Planning & Zoning Commission was held on January 20, 2022, beginning at 4:30 p.m. in the Sewall Smith City Council Chambers located at 18111 Buddy Riley Blvd., Magnolia, Texas 77354.

1. CALL TO ORDER

Chairman Robert Franklin called the regular meeting to order at 4:39 pm.

a. INVOCATION

Tom Mayhew delivered the invocation.

b. PLEDGE OF ALLEGIANCE

Chairman Robert Franklin led the Pledge of Allegiance.

c. ROLL CALL AND CERTIFICATION OF QUORUM

Chairman Robert Franklin called roll and certified a quorum present with the following Planning & Zoning Commission members in attendance: Robert Franklin, Anne Sundquist, Tom Mayhew, Trevor Brown, Holly Knee and Scott Shelburne.

Absent: Josh Jakubik

Staff present: City Administrator Don Doering, City Secretary Kandice Garrett, Planning Consultant Tana Ross, and Planning Coordinator / Permit Tech Christian Gable

2. OPEN PUBLIC HEARING

Chairman Franklin opened the Public Hearing at 4:40 p.m., read the Notice of Public hearing aloud and asked for any public comments.

NOTICE OF PUBLIC HEARING

On January 20, 2022 at 4:30 pm., City of Magnolia Planning and Zoning Commission will hold a public hearing in the Council Chambers of Magnolia City Hall, 18111 Buddy Riley, Blvd., Magnolia, Texas 77354, giving all interested persons the right to appear and be heard to discuss a rezoning to the City of Magnolia Official Zoning Map for 0.9183 acres of land being Reserve "A" and the

east 55.25 feet of Reserve "D" of Magnolia Business Center, Gamble Dawson Survey, Abstract Number 177, of MONTGOMERY County, Texas, from Neighborhood Conservation 2 to Suburban Village.

Frank Parker, 31602 Hanks Rd., Magnolia, TX 77355 spoke in opposition to the Zoning change.

Marcy Parker, 31602 Hanks Rd., Magnolia, TX 77355 spoke in opposition to the Zoning change.

Jeff Tanis, 20102 Ruby Terrace Ln., Magnolia, TX 77355 spoke in opposition to the Zoning change.

Stacy Anzick, 19702 Sapphire Cir., Magnolia, TX 77355 spoke in opposition to the Zoning change.

Patricia Rittlinger-Coutino, 31603 Hank's Rd., Magnolia, TX 77355 spoke in opposition to the Zoning change.

3. CLOSE PUBLIC HEARING AND CONVENE REGULAR MEETING

Chairman Franklin closed the Public Hearing and convened the Regular Meeting at 5:01 p.m.

4. CONSENT AGENDA

This portion of the agenda consists of items considered to be routine and will be enacted by one motion unless separate discussion is requested by a Commission member or a citizen.

a. CONSIDERATION – APPROVAL OF MINUTES

Consideration and possible action to approve the minutes of the meeting held December 16, 2021.

MOTION: Upon a motion to approve Consent Agenda minutes for December 16, 2021 as corrected to show Trevor Brown being present at the meeting made by Anne Sundquist and seconded by Holly Knee, the Commission members present voted and the motion carried unanimously, 5-0.

5. REQUESTS/ PETITIONS FROM THE PUBLIC

None

6. PUBLIC COMMENTS

*(For matters not on the agenda. Comments shall be limited to **three (3) minutes per person**. Comments by the Commission members shall be limited to:*

- a. Statements of specific factual information given in response to an inquiry;*
- b. A recitation of existing policy in response to an inquiry;*
- c. A proposal to place the subject on a future agenda.*

None

7. ANNOUNCEMENTS

(Hear announcements concerning items of community interest from the Board Members of the Planning Commission and City Staff for which no action will be taken or discussed.)

8. UPDATE ON CITY OF MAGNOLIA DEVELOPMENTS

Planning Consultant Tana Ross provided the Monthly Project Report in the Board's Packet.

9. CONSIDERATION – REZONING TO THE CITY OF MAGNOLIA OFFICIAL ZONING MAP FOR SM DADA ENTERPRISES LLC

Consideration and possible action to review and approve rezoning to the City of Magnolia Official Zoning Map for 0.9183 acres of land being Reserve "A" and the east 55.25 feet of Reserve "D" of Magnolia Business Center, Gamble Dawson Survey, Abstract Number 177, of MONTGOMERY County, Texas, from Neighborhood Conservation 2 (NC 2) to Suburban Village (SV).

Mrs. Ross stated the initial Zoning was adopted in 2015 by City Council after Town Hall meetings were held and this is the first rezoning of this property. Frank Parker, former PZC Chairman, commented on his recollection of events at the time the City adopted Zoning. There was further discussion.

MOTION: Upon a motion to deny rezoning to the City of Magnolia Official Zoning Map for 0.9183 acres of land being Reserve "A" and the east 55.25 feet of Reserve "D" of Magnolia Business Center, Gamble Dawson Survey, Abstract Number 177, of MONTGOMERY County, Texas, from Neighborhood Conservation 2 (NC 2) to Suburban Village (SV) to preserve the integrity and environment of the neighborhood made by Tom Mayhew and seconded by Scott Shelburne, the Commission members present voted and the motion carried unanimously, 5-0.

10. DISCUSSION – APPOINTMENT BY CITY COUNCIL OF THE PLANNING AND ZONING COMMISSION AS ADVISORY COMMITTEE REGARDING AMENDMENTS TO LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENTS PLAN, OR IMPACT FEES AND DUTIES OF THE ADVISORY COMMITTEE (Don Doering)

Mrs. Ross presented this item and explained the process and expectations of the Committee.

11. PRESENTATION BY CITY ENGINEER REGARDING AMENDMENTS TO LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENTS PLAN, OR IMPACT FEES

Janis Noeldner with AEI Engineering gave a presentation to the Board and explained the need for an update which is in line with the Texas Government Code allowing for the maximum water and sewer impact fees, paid at the time of new development. The former amendment process was conducted by Strand Engineering using subcontractor NewGen in 2019.

12. CONSIDERATION – MAGNOLIA RIDGE SECTION 14, FINAL PLAT +/- 30.239 ACRES

Consideration and possible action to review and approve Magnolia Ridge, Section 14, Final Plat, +/-30.239 acres.

MOTION: Upon a motion to approve Magnolia Ridge Section 14, Final Plat +/- 30.239 Acres made by Anne Sundquist and seconded by Tom Mayhew, the Commission members present voted and the motion carried unanimously, 5-0.

13. DISCUSSION – UNIFIED DEVELOPMENT CODE CHAPTER 3 LOTS AND DENSITY

Discussion concerning multi-family density in the City of Magnolia Unified Development Code. including definitions, ratios and comparisons.

Planning Coordinator / Permit Tech Christian Gable presented this item. There was further discussion.

14. DISCUSSION – UNIFIED DEVELOPMENT CODE CHAPTER 2 LAND USE TABLE

Discussion concerning alcohol sales in Suburban Village districts and possible text amendment.

Mrs. Ross presented this item. The Land Use Table amendment would allow for alcohol sales in Suburban Village (SV) districts and review by Planning and Zoning for on-site consumption and off-site consumption on a case by case basis.

15. SET PUBLIC HEARING DATE FOR TEXT AMENDMENT TO CITY OF MAGNOLIA UNIFIED DEVELOPMENT CODE – CHAPTER 2 LAND USES

Consideration to approve public hearing date for text amendment to Chapter 2, Table 2-2-1.02 Land Uses.

MOTION: Upon a motion to set the public hearing date for Text Amendment to City of Magnolia Unified Development Code – Chapter 2 Land Uses on February 17, 2022 PZC Meeting made by Anne Sundquist and seconded by Tom Mayhew, the Commission members present voted and the motion carried unanimously, 5-0.

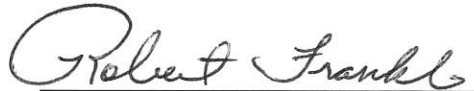
16. REQUEST FOR AGENDA ITEM

None

17. ADJOURN

MOTION: Upon a motion to adjourn made by Scott Shelburne and seconded by Trevor Brown, the Commission members present voted, the motion carried unanimously, 5-0 and Chairman Franklin adjourned the meeting at 6:23 pm.


Planning & Zoning Commission


Robert Franklin, Chairman

CERTIFICATION

I certify this to be a true and correct copy of the minutes of the meeting of the City of Magnolia Planning and Zoning Commission held on January 20, 2022.

ATTEST:


Kandice Garrett, City Secretary