

HOUSTON PLANNING COMMISSION

AGENDA

JANUARY 23, 2020



COUNCIL CHAMBER
CITY HALL ANNEX
2:30 P.M.

PLANNING COMMISSION MEMBERS



Martha L. Stein, *Chair*
M. Sonny Garza, *Vice Chair*
David Abraham
Susan Alleman
Antoine Bryant
Lisa Clark
Rodney Heisch
Randall L. Jones
Lydia Mares
Paul R. Nelson
Linda Porras-Pirtle
Kevin S. Robins
Ileanna Rodriguez
Ian Rosenberg
Megan R. Sigler
Zafar Tahir
Meera D. Victor

The Honorable KP George
Fort Bend County
The Honorable Lina Hidalgo
Harris County
Commissioner James Noack
Montgomery County

ALTERNATE MEMBERS

J. Stacy Slawinski, P.E.
Maggie Dalton
Fort Bend County
Loyd Smith, P.E.
Harris County
Scott Cain
Montgomery County

EX- OFFICIO MEMBERS

Carol Lewis, Ph.D.
Carol Haddock, P.E.
Yuhayna H. Mahmud, AICP

SECRETARY

Margaret Wallace Brown

Meeting Policies and Regulations

Order of Agenda

The Planning Commission may alter the order of the agenda to consider special requests and variances first, followed by replats requiring a public hearing second and consent agenda last. Any contested consent item will be moved to the end of the consent agenda.

Public Participation

The public is encouraged to take an active interest in matters that come before the Planning Commission. Anyone wishing to speak before the Commission may do so. The Commission has adopted the following procedural rules on public participation:

1. Anyone wishing to speak before the Commission must sign-up on a designated form located at the entrance to the Council Chamber.
2. If the speaker wishes to discuss a specific item on the agenda of the Commission, it should be noted on the sign-up form.
3. If the speaker wishes to discuss any subject not otherwise on the agenda of the Commission, it will be allowed during Public Comments section.
4. For each item, the applicant is given first opportunity to speak and is allowed two minutes for an opening presentation. The applicant is also allowed a rebuttal after all speakers have been heard; two additional minutes will be allowed.
5. Speakers will be allowed two minutes each for specially called hearing items, replats with notice, variances, and special exceptions.
6. Speakers will be allowed 1 minute each for all consent agenda items.
7. If a speaker has a translator (foreign language or sign language), that individual will be given twice the amount of time.
8. When an item has been deferred to a future agenda, speakers will be allowed to speak again when the item appears on the next agenda, but will be limited to one minute.
9. Time limits will not apply to elected officials.
10. No speaker is permitted to accumulate speaking time from another person.

11. Time devoted to answering any questions from the Commission is not charged against allotted speaking time.
12. The Commission reserves the right to limit speakers if it is the Commission's judgment that an issue has been sufficiently discussed and additional speakers are repetitive.
13. The Commission reserves the right to stop speakers who are unruly or abusive.

Limitations on the Authority of the Planning Commission

By law, the Commission is required to approve subdivision and development plats that meet the requirements of Chapter 42 of the Code of Ordinances of the City of Houston and related regulations. The Commission cannot exercise discretion nor can it set conditions on plats meeting all requirements. If the Commission does not act on a Sec. I Platting Activity A-F and K. Consent Agenda item within 30 days, the item is deemed approved. The Commission's authority on platting does not extend to land use. The Commission cannot disapprove a plat because of objections to the use of the property. All plats approved by the Commission are subject to compliance with applicable requirements of other departments and public agencies, e.g., water, sewer, drainage, or utilities.

Contacting the Planning Commission

Should you have materials or information that you would like for the Planning Commission members to have pertaining to a particular item on their agenda, contact staff at 832-393-6600. Staff can either incorporate materials within the Agenda packets, or can forward or distribute at the meeting.

Contacting the Planning Department

The Planning and Development Department is located at 611 Walker Street on the Sixth Floor. Code Enforcement is located at 1002 Washington Street.

Mailing address is:
P.O. Box 1562
Houston, Texas 77251-1562

Website is www.houstonplanning.com

E-mail us at:
Planning and Development
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Plat Tracker Home Page:
www.HoustonPlatTracker.org



PLANNING & DEVELOPMENT DEPARTMENT

www.HoustonPlanning.com or (832) 393-6600

SPEAKER GUIDELINES

WELCOME to a meeting of the City's Planning and Development Department. Your input is valued. Commissioners take action according to established standards; see rules or policies for details. Staff is available to help orient you on meeting procedures. **For the City's I SPEAK language line, including traducción en Español, call (832) 393-3000.**

Submit a SPEAKER FORM to be recognized as a speaker. Turn in the completed, legible form to the staff near the front desk, normally before the item is called for consideration. Organized groups may submit forms in a desired speaker sequence to staff. However, the Chair may take items out of order.

One recognized speaker at the podium at a time. As your name is called, move to the podium to speak, or announce from your seat if you wish to decline. Any handouts can be provided to staff near the podium, for distribution while you begin speaking. Speaker's time cannot be allocated to another person. Speaker's times are normally 1-2 minutes or as otherwise identified.

At the podium, state your name for the record. Ideally, also state your position on the item, and then deliver your comments. A bell is rung if the allowed speaking time is exceeded. There may also be questions for you, from the Chair or recognized Commissioners, before you return to your seat. No audible expressions from the audience, including no applause, boos, or verbal outbursts.

Speakers with general comments can sign up to speak during the public comment section of the agenda. Turn in visitor badges at the building's check stations at departure. THANK YOU.

...

Commission or Group:

SPEAKER SIGN IN FORM

DATE: _____

AGENDA ITEM NUMBER _____

AGENDA ITEM NAME _____

YOUR NAME (Speaker) _____

Telephone or email (Optional) _____

Do you have handouts or items to be distributed during your comments? _____ (Check if Yes)

Your position or comments: ____ **Applicant** ____ **Supportive** ____ **Opposed** ____ **Undecided**

This online document is preliminary and not official. It may not contain all the relevant materials and information that the Planning Commission will consider at its meeting. The official agenda is posted at City Hall 72 hours prior to the Planning Commission meeting. Final detailed packets are available online at the time of the Planning Commission meeting.

Houston Planning Commission

AGENDA

January 23, 2020

Meeting to be held in
Council Chamber, City Hall Annex
2:30 p.m.

Call to Order

Director's Report

Approval of the January 9, 2020 Planning Commission Meeting Minutes

- I. Presentation and Consideration of the January 2020 Semi-Annual Water/Wastewater Impact Fee Report (Deidre VanLangen)**
- II. Presentation and Consideration of the January 2020 Drainage Impact Fee Report (Deidre Van Langen)**
- III. Presentation of the proposed updates to Chapter 42 (Dipti Mathur)**
- IV. Presentation of the proposed Walkable Place Pilot Area Plans (Muxian Fang)**
- V. Platting Activity (Subdivision and Development plats)**
 - a. Consent Subdivision Plats (Devin Crittle)
 - b. Replats (Devin Crittle)
 - c. Replats requiring Public Hearings with Notification (Dorianne Powe-Phlegm)
 - d. Subdivision Plats with Variance Requests (Aracely Rodriguez, Homero Guajardo Alegria, Suvidha Bandi, Lyndy Morris)
 - e. Subdivision Plats with Special Exception Requests (Suvidha Bandi, Tammi Williamson, Devin Crittle)
 - f. Reconsiderations of Requirement (Devin Crittle, Eric Pietsch)
 - g. Extensions of Approval (John Cedillo)
 - h. Name Changes (John Cedillo)
 - i. Certificates of Compliance (John Cedillo)
 - j. Administrative
 - k. Development Plats with Variance Requests (Jose Mendoza)
- VI. Establish a public hearing date of February 20, 2020**
 - a. Ashcreek partial replat no 1
 - b. Craig Woods partial replat no 26
 - c. Houston Gardens partial replat no 1
 - d. Pine Terrace partial replat no 2
 - e. RB Gaut partial replat no 1
 - f. River Oaks Sec 9 partial replat no 1
 - g. Southgate partial replat no 3
 - h. Stoneworks Mansfield Park
 - i. Windmill Lakes Villas replat no 1
 - j. Woodleigh partial replat no 2 and extension
- VII. Consideration of an Off-Street Parking Variance for property located at 2301 University Blvd (Jose Mendoza)**
- VIII. Public Comment**
- IX. Adjournment**

Minutes of the Houston Planning Commission

(A CD/DVD of the full proceedings is on file in the Planning and Development Department)

January 09, 2020

Meeting held in
Council Chambers, Public Level, City Hall Annex
2:30 p.m.

Call to Order

Chair Martha L. Stein called the meeting to order at 2:30 p.m. with a quorum present.

Martha L. Stein, Chair

M. Sonny Garza, Vice Chair

David Abraham

Arrived at 2:52 p.m. during item I

Susan Alleman

Absent

Antoine Bryant

Lisa Clark

Rodney Heisch

Randall L. Jones

Lydia Mares

Paul R. Nelson

Linda Porras-Pirtle

Kevin Robins

Ileana Rodriguez

Arrived at 2:48 p.m. during item I

Ian Rosenberg

Megan R. Sigler

Zafar Tahir

Arrived at 2:35 p.m. during item I

Meera D. Victor

Scott Cain for

Absent

Commissioner James Noack

Rick Staigle for

Absent

The Honorable KP George

Loyd Smith for

The Honorable Lina Hidalgo

EXOFFICIO MEMBERS

Carol A. Lewis

Carol Haddock

Yuhayna H. Mahmud

Executive Secretary

Margaret Wallace Brown, Director, Planning and Development

DIRECTOR'S REPORT

The Director's Report was given by Margaret Wallace Brown, Director, Planning and Development Department.

APPROVAL OF THE DECEMBER 19, 2019 PLANNING COMMISSION MEETING MINUTES

Commission action: Approved the December 19, 2019 Planning Commission meeting minutes.

Motion: **Bryant**

Second: **Mares**

Vote: **Unanimous**

Abstaining: **None**

I. PRESENTATION OF THE PROPOSED UPDATES TO CHAPTER 42

Presentation was given by Dipti Mathur, Planning and Development Department.

II. PRESENTATION OF THE PROPOSED WALKABLE PLACES AND TRANSIT-ORIENTED DEVELOPMENT ORDINANCE

Presentation was given by Muxian Fang, Planning and Development Department.

Speakers: James Llamas - supportive, Julie Farr, Cindy Woods, Kyle Wolfe, Ruth Ann Skaff, Barbara McGuffey – opposed.

III. PLATTING ACTIVITY (Consent and Replat items A and B, 1 – 95)

Item(s) removed for separate consideration: **10, 11, 12, 13, 15, 18, 28, 29, 52, 55 and 70.**

Item **20** was taken out of order to be considered with item 108.

Item **51** was taken out of order to be considered with item 117.

Staff recommendation: Approve staff's recommendations for item(s) 1 - 95 subject to the CPC 101 form conditions.

Commission action: Approved staff's recommendations for item(s) 1 - 95 subject to the CPC 101 form conditions.

Motion: **Clark**

Second: **Garza**

Vote: **Unanimous**

Abstaining: **None**

Staff recommendation: Approve staff's recommendation for items **10, 11, 12, 13, 15, 18, 28, 29, 52, 55 and 70**, subject to the CPC 101 form conditions.

Commission action: Approved staff's recommendations for items **10, 11, 12, 13, 15, 18, 28, 29, 52, 55 and 70**, subject to the CPC 101 form conditions.

Motion: **Garza**

Second: **Porras-Pirtle**

Vote: **Carries**

Abstaining: **Heisch**

PUBLIC HEARINGS

96 Cotton Oaks Estates replat no 1

C3N

Staff recommendation: Approve the plat subject to the CPC 101 form conditions.

Commission action: Deferred the item to later in the meeting.

Motion: **Garza**

Second: **Clark**

Vote: **Unanimous**

Abstaining: **None**

Speakers: Arthur Smalley, applicant – supportive; Sara Yeager – undecided.

97 David Crockett Second Replat partial replat no 5

C3N

Approve

Staff recommendation: Approve the plat subject to the CPC 101 form conditions.

Commission action: Approved the plat subject to the CPC 101 form conditions.

Motion: **Sigler**

Second: **Bryant**

Vote: **Unanimous**

Abstaining: **None**

98 East End on the Bayou Sec 3 C3N Approve
replat no 1 and extension

Staff recommendation: Approve the plat subject to the CPC 101 form conditions.

Commission action: Approved the plat subject to the CPC 101 form conditions.

Motion: **Garza** Second: **Jones** Vote: **Unanimous** Abstaining: **None**

Speaker: Tony Padua, applicant – supportive.

99 Gaywood partial replat no 1 C3N Defer

Staff recommendation: Defer the application for two weeks per the applicant's request.

Commission action: Deferred the application for two weeks per the applicant's request.

Motion: **Porras-Pirtle** Second: **Heisch** Vote: **Unanimous** Abstaining: **None**

100 Livingston Estates partial replat no 1 C3N Approve

Staff recommendation: Approve the plat subject to the CPC 101 form conditions.

Commission action: Approved the plat subject to the CPC 101 form conditions.

Motion: **Bryant** Second: **Rodriguez** Vote: **Unanimous** Abstaining: **None**

101 Oaks of Lakewood Village C3N Approve
Sec 1 replat no 1

Staff recommendation: Approve the plat subject to the CPC 101 form conditions.

Commission action: Approved the plat subject to the CPC 101 form conditions.

Motion: **Bryant** Second: **Jones** Vote: **Unanimous** Abstaining: **None**

102 Oaks of Lakewood Village C3N Approve
Sec 2 replat no 1

Staff recommendation: Approve the plat subject to the CPC 101 form conditions.

Commission action: Approved the plat subject to the CPC 101 form conditions.

Motion: **Mares** Second: **Rodriguez** Vote: **Unanimous** Abstaining: **None**

103 Pin Oak Village Sec 3 C3N Approve
partial replat no 1

Staff recommendation: Grant the variance(s) and approve the plat subject to the CPC 101 form conditions.

Commission action: Granted the variance(s) and approved the plat subject to the CPC 101 form conditions.

Motion: **Garza** Second: **Sigler** Vote: **Carries** Opposed: **Mares**

Speaker: Fred Ormiston – opposed.

104 Royal Oaks Landing replat no 1 C3N Approve

Staff recommendation: Approve the plat subject to the CPC 101 form conditions.

Commission action: Approved the plat subject to the CPC 101 form conditions.

Motion: **Porras-Pirtle** Second: **Heisch** Vote: **Unanimous** Abstaining: **None**

105 Ruburfield Subdivision no 66 C3N Approve
partial replat no 1

Staff recommendation: Approve the plat subject to the CPC 101 form conditions.

Commission action: Approved the plat subject to the CPC 101 form conditions.

Motion: **Bryant** Second: **Mares** Vote: **Unanimous** Abstaining: **None**

- 106 Southgate partial replat no 3 C3N Withdrawn**
- 107 Woodleigh partial replat no 2 and extension C3N Withdrawn**

D VARIANCES

- 108 Bergamo Vista Lift Station C2 Defer**
Staff recommendation: Defer the application for two weeks per Harris County's request.
Commission action: Deferred the application for two weeks per Harris County's request.
Motion: **Jones** Second: **Garza** Vote: **Carries** Opposed: **None**

Item 20 was taken out of order at this time.

- 20 Katy Legacy GP GP Approve**
Staff recommendation: Approve the plat subject to the CPC 101 form conditions.
Commission action: Approved the plat subject to the CPC 101 form conditions.
Motion: **Garza** Second: **Clark** Vote: **Carries** Opposed: **Nelson, Porras-Pirtle, Smith**

Speaker: Rick Haddock, applicant – supportive.

- 109 Broadstone Eado C2 Approve**
Staff recommendation: Grant the variance(s) and approve the plats subject to the CPC 101 form conditions.
Commission action: Granted the variance(s) and approved the plats subject to the CPC 101 form conditions.
Motion: **Sigler** Second: **Rodriguez** Vote: **Unanimous** Abstaining: **None**

- 110 Double Oak Commons GP GP Defer**
Staff recommendation: Grant some variance(s) and approve the plat subject to the CPC 101 form conditions.
Commission action: Deferred the application for two weeks for further study and review.
Motion: **Smith** Second: **Bryant** Vote: **Unanimous** Abstaining: **None**

- 111 Elgin Smith C2R Withdrawn**

- 112 Enterra at Oneil C2R Defer**
Staff recommendation: Defer the application for two weeks for further study and review.
Commission action: Deferred the application for two weeks for further study and review.
Motion: **Mares** Second: **Garza** Vote: **Unanimous** Abstaining: **None**

- 113 Ezzi Signs C2R Approve**
Staff recommendation: Approve the plat subject to the CPC 101 form conditions.
Commission action: Approved the plat subject to the CPC 101 form conditions.
Motion: **Porras-Pirtle** Second: **Clark** Vote: **Unanimous** Abstaining: **None**

Commissioner Heisch recused himself.

114 Groves GP GP Approve
Staff recommendation: Grant the variance(s) and approve the plats subject to the CPC 101 form conditions.
Commission action: Granted the variance(s) and approved the plats subject to the CPC 101 form conditions.
Motion: **Smith** Second: **Jones** Vote: **Unanimous** Abstaining: **None**

115 Harris County Improvement District C2 Approve
no 13 water plant no 1
Staff recommendation: Grant the variance(s) and approve the plat subject to the CPC 101 form conditions.
Commission action: Granted the variance(s) and approved the plat subject to the CPC 101 form conditions.
Motion: **Bryant** Second: **Mares** Vote: **Unanimous** Abstaining: **None**

116 Indian Hills Road Tract C3P Approve
Staff recommendation: Grant the variance(s) and approve the plats subject to the CPC 101 form conditions.
Commission action: Granted the variance(s) and approved the plats subject to the CPC 101 form conditions.
Motion: **Nelson** Second: **Victor** Vote: **Unanimous** Abstaining: **None**

Commissioner Heisch returned.

117 Marvida GP GP Approve
Staff recommendation: Grant the variance(s) and approve the plats subject to the CPC 101 form conditions.
Commission action: Granted the variance(s) and approved the plats subject to the CPC 101 form conditions.
Motion: **Garza** Second: **Mares** Vote: **Unanimous** Abstaining: **None**

Item 51 was taken out of order at this time.

51 West Road Street Dedication Sec 2 SD Approve
Staff recommendation: Approve the plat subject to the CPC 101 form conditions.
Commission action: Approved the plat subject to the CPC 101 form conditions.
Motion: **Bryant** Second: **Porras-Pirtle** Vote: **Unanimous** Abstaining: **None**

118 Svensson Estate C2 Approve
Staff recommendation: Grant the variance(s) and approve the plats subject to the CPC 101 form conditions.
Commission action: Granted the variance(s) and approved the plats subject to the CPC 101 form conditions.
Motion: **Clark** Second: **Garza** Vote: **Unanimous** Abstaining: **None**

Commissioner Heisch recused himself.

Items 119 and 120 were taken together at this time.

119 Winward Sec 4 C3P Approve
120 Winward Sec 5 C3P Approve

Staff recommendation: Approve the plats subject to the CPC 101 form conditions.

Commission action: Approved the plats subject to the CPC 101 form conditions.

Motion: **Sigler**

Second: **Bryant**

Vote: **Unanimous**

Abstaining: **None**

Commissioner Heisch returned.

Item 96 was continued at this time.

96 Cotton Oaks Estates replat no 1

C3N

Approve

Staff recommendation: Approve the plat subject to the CPC 101 form conditions.

Commission action: Approved the plat subject to the CPC 101 form conditions.

Motion: **Garza**

Second: **Tahir**

Vote: **Unanimous**

Abstaining: **None**

Speakers: Yeager – opposed; Arva Howard, Legal Department.

**E SPECIAL EXCEPTIONS
NONE**

F RECONSIDERATION OF REQUIREMENTS

121 CCR Racing

C2R

Approve

Staff recommendation: Grant the reconsideration of requirements with variance(s) and approve the plat subject to the CPC 101 form conditions.

Commission action: Granted the reconsideration of requirements with variance(s) and approved the plat subject to the CPC 101 form conditions.

Motion: **Bryant**

Second: **Clark**

Vote: **Unanimous**

Abstaining: **None**

Items G, H, and I were taken together at this time.

G EXTENSIONS OF APPROVAL

**122 Balmoral Park Lakes East
Detention Reserve**

EOA

Approve

123 Blucarwash Cypress Station

EOA

Approve

124 Brookwood Forest Sec 7

EOA

Approve

125 Custom Stone Supply and US Concrete

EOA

Approve

126 Enclave at Westpark Meadows Townhomes

EOA

Approve

127 Firecraft BBQ

EOA

Approve

128 Martinez Manor

EOA

Approve

129 Shops at Avalon

EOA

Approve

H NAME CHANGES

130 Sendero Tract Sec 10 (prev. Sendero Sec 10) NC

Approve

**I CERTIFICATES OF COMPLIANCE
NONE**

Staff recommendation: Approve staff's recommendation for items 122-130.

Commission action: Approved staff's recommendation for items 122-130.

Motion: **Bryant**

Second: **Tahir**

Vote: **Unanimous**

Abstaining: **None**

**J ADMINISTRATIVE
NONE**

K DEVELOPMENT PLATS WITH VARIANCE REQUESTS

131 2715 Mills Branch Drive

DPV

Deny

Staff recommendation: Deny the variance(s) to allow direct driveway access to Mills Branch Drive, a major thoroughfare, for a single-family residence.

Commission action: Denied the variance(s) to allow direct driveway access to Mills Branch Drive, a major thoroughfare, for a single-family residence.

Motion: **Clark**

Second: **Mares**

Vote: **Unanimous**

Abstaining: **None**

Speakers: Manuel Lopez, applicant, Michael Huizdos - supportive; Richard Smith, Houston Public Works.

Items V and 132 were taken together at this time.

V CONSIDERATION OF AN OFF-STREET PARKING VARIANCE FOR A PROPERTY LOCATED AT 2301 UNIVERSITY BLVD

132 2301 University Boulevard

DPV

Defer

Staff recommendation: Defer the applications for two weeks at applicant's request.

Commission action: Deferred the applications for two weeks at applicant's request.

Motion: **Garza**

Second: **Tahir**

Vote: **Unanimous**

Abstaining: **None**

Speaker: Yvonne Sada – opposed.

IV. ESTABLISH A PUBLIC HEARING DATE OF FEBRUARY 06, 2020 FOR:

- a. Afton Oaks Sec 7 partial replat no 1
- b. Bayou Woods Sec 2 partial replat no 4 and extension
- c. Evergreen Woods partial replat no 2
- d. Freeway Manor Sec 3 partial replat no 1 and extension
- e. Houston Acreage Estates partial replat no 3
- f. Memorial Green Sec 2 replat and extension partial replat no 2
- g. Park at Live Oak replat no 1 and extension
- h. Ranch Country Sec 5 partial replat no 3

Staff recommendation: Establish a public hearing date of February 06, 2020 for item IV a-h.

Commission action: Established a public hearing date of February 06, 2020 for item IV a-h.

Motion: **Bryant**

Second: **Garza**

Vote: **Unanimous**

Abstaining: **None**

VI. EXCUSE THE ABSENCES OF COMMISSIONERS ABRAHAM AND RODRIGUEZ

Commissioners Abraham and Rodriguez were present; therefore, no action was necessary.

VII. PUBLIC COMMENT

NONE

VIII. ADJOURNMENT

There being no further business brought before the Commission, Chair Martha L. Stein adjourned the meeting at 5:03 p.m.

Motion: **Clark**

Second: **Abraham**

Vote: **Unanimous**

Abstaining: **None**

Martha L. Stein, Chair

Margaret Wallace Brown, Secretary

**January 2020
Semiannual Report of the
Capital Improvements Advisory
Committee
On Water and Wastewater Impact Fees**

**Planning Commission
Acting as the
Capital Improvements Advisory Committee**

Martha L. Stein, Chair

**City of Houston
Houston Public Works
Houston Water**

**JANUARY 2020 SEMIANNUAL REPORT OF THE
CAPITAL IMPROVEMENTS ADVISORY COMMITTEE
ON IMPACT FEES**

I. PURPOSE OF THIS REVIEW

Cities imposing impact fees on new development must comply with Chapter 395 of the Texas Local Government Code. In accordance with Chapter 395, City Council adopted Ordinances 90-675 and 90-676 to establish procedures to administer the City's water and wastewater impact fees programs, respectively. Approval of Motion 90-0614 by the City Council appointed the Planning Commission as the Capital Improvements Advisory Committee. Under State law, the Committee is charged with the following responsibilities:

- Assisting and advising the City in adopting land-use assumptions;
- Reviewing the IFCIP and filing written comments;
- Monitoring and evaluating the implementation of the IFCIP;
- Filing semiannual reports on the progress of the plan;
- Reporting actual or perceived inequities in plan implementation or the application of impact fees; and
- Recommending updates or revisions to the plan or any impact fees

This documentation fulfills the State requirement of the semiannual report on the progress of the plan. Preparation and conveyance of this report complies with City Council Motion 90-0614 to file a report by January and July of each year. This report documents changes that occurred between the period of **May 1, 2019-October 31, 2019**, of the 2010-2020 Impact Fees Program.

II. FINDINGS AND RECOMMENDATIONS

The Planning Commission, acting in its capacity as the Capital Improvements Advisory Committee, finds the following for this period:

- A total of **534** single-family residence (SFR) building permit application exemptions (from paying impact fees) were granted to single-family residences below the median housing price for the City of Houston between **May 1, 2019 and October 31, 2019**. The unit cost range for considering residences below the median housing price was from **\$235,369.00-\$239,741.00**. The range is published by the Real Estate Center at Texas A & M University. A total of **27,165** exemptions have been applied for since the ordinance was adopted in 1997.
- A total of **\$17,568,562.75** generated from revenues and interest for water and wastewater impact fees accrued in the impact fees accounts between **May 1, 2019 and October 31, 2019**, the **first half of the ninth year** of the 2010-2020 Impact Fees Program. The program has an all-time total income of **\$452,320,931.32**.

Based on these findings, the CIAC recommends the following actions:

- The total amount of the revenues and interest generated from water and wastewater impact fees during the reporting period in the sum of **\$17,568,562.75** should be authorized for appropriation to debt retirement.

III. BACKGROUND

The City of Houston established an impact fees program in June 1990, and adopted updates beginning in July of 2010 in compliance with State legislative requirements. The Planning Commission, acting in the capacity of the Capital Improvements Advisory Committee, oversees the program. The program institutes a method to collect fees for new development applications for water and/or sanitary sewer service. The fees offset a portion of costs associated with capital improvements for providing water and wastewater facilities to meet the new demand.

According to State legislation, estimates of new demand and needed facilities must be based on approved land-use assumptions. Maximum chargeable impact fees, the maximum fees the City can charge, are calculated from the estimated cost of the facilities and the capacity of the system. City Council determines the impact fees collection rates, which cannot exceed the maximum chargeable fees. These are the actual rates paid by the developer upon request for service. The City applies collected fees to the cost of the capacity needed by new development for designated water and wastewater capital improvements. These capital improvements are identified in the IFCIP. (Note that the IFCIP is not the City's five year Capital Improvement Plan.)

IV. EVALUATION OF IMPACT FEE PROGRAM COMPONENTS

A. Land Use Assumptions

Review of the Land Use Assumptions (LUA) consists of monitoring the following components: population and employment, and water and wastewater service units. Population and employment projections were distributed among census tracts, followed by calculation of water demand and wastewater generation for the projected growth within each census tract.

1. Population and Employment

Population and employment projections provide the foundation to develop forecasts of future land use. The 2010-2020 Impact Fee Program is based on population and employment projections using Traffic Analysis Zone (TAZ) data from the Houston-Galveston Area Council.

2. Service Units

The second method of analysis involves a comparison of service units projected in IFCIP to service units generated by actual development. Service units provide a method for converting demand from different land uses to a common unit of measure. Adopted units of measure are based on the average daily demands for a single-family residence, which are 250 gallons for water and 250 gallons for sewer in the current 2010-2020 Impact Fee Program. Service unit analysis compares prorated ten-year growth projections in service units with service units generated by actual development. The number of projected service units was calculated for each ten-year planning period.

The maximum impact fee for each service unit calculated in the IFCIP is based on the prorated cost of projects divided by the capacity of the system. For both water and wastewater, the maximum rate is not time sensitive since it was calculated as the average cost per gallon for the entire system. Without a change to project costs or capacities in that IFCIP, maximum fees per service unit will not change.

Growth projections anticipate citywide demands will increase to **217,461** service units for water and **108,384** service units for wastewater between 2010 and 2020. Using an interpolation of proportionate service unit consumption, **202,963** service units for water and **101,156** service units for wastewater were projected to be consumed through this period of the updated program (May 1, 2019 and October 31, 2019). Service unit data was compiled from actual permit applications and totaled for the entire service area. Actual service units generated during this 6-month period totaled **8,947** water service units and **8,593** wastewater service units for a cumulative total of **132,756** water service units and **118,935** wastewater service units (See Table 1).

Table 1 shows that historically the percentage of actual growth has been slower than projected through each reporting period. The current consumption of service units for this reporting period is **65%** for water and **118%** for wastewater. This shows slower growth for water and consistent growth for wastewater compared to the linear projection, resulting that sufficient capacity remains in the systems for new development through 2020, the end of the ten-year reporting period. Since the rate of growth for wastewater is slightly higher than the linear projection at this point in the 2010-2020 Impact Fee Program, the wastewater system demand is being evaluated with the Houston Water.

TABLE 1
May 1, 2019 to October 31, 2019
Percent of Actual to Prorated Projected Service Units (s.u.)

Semiannual Report	Duration (months)	Water			Wastewater		
		Prorated s.u.	Actual s.u.	%	Prorated s.u.	Actual s.u.	%
January 2011	4	7,255	1,471	20	3,613	1,516	42
July 2011	10	18,122	7,011	39	9,032	5,467	61
January 2012	16	28,995	17,025	59	14,451	10,037	69
July 2012	22	39,868	21,089	53	19,870	14,213	72
January 2013	28	50,741	26,621	52	25,289	20,205	80
July 2013	34	61,614	33,728	55	30,709	25,968	85
January 2014	40	72,487	43,016	59	36,128	34,686	96
July 2014	46	83,360	51,865	62	41,547	43,016	104
January 2015	52	94,233	62,480	66	46,966	53,129	113
July 2015	58	105,106	71,091	68	52,385	61,192	117
January 2016	64	115,979	78,472	68	57,804	67,563	117
July 2016	70	126,852	83,440	66	63,223	72,480	115
January 2017	76	137,725	89,247	65	68,642	78,167	114
July 2017	82	148,598	94,157	63	74,061	82,950	112
January 2018	88	159,471	100,990	63	79,480	89,230	112
July 2018	94	170,344	108,348	64	84,899	94,927	112
January 2019	100	181,217	116,393	64	90,318	102,742	114
July 2019	106	192,090	123,809	64	95,737	110,342	115
January 2020	112	202,963	132,756	65	101,156	118,935	118

3. Impact Fees Capital Improvement Plan (IFCIP)

An update of the Impact Fees Capital Improvement Plan (IFCIP) has been performed in the 2010-2020 Impact Fee Program. The combined Water and Wastewater impact fee of **\$1,989.66** per service unit has been effective since **July 1, 2019** under the program. Examination of data regarding service unit consumption from **May 1, 2019 through October 31, 2019**, indicates significant capacity remains in the water and wastewater systems to support future demand.

4. Maximum Chargeable Impact Fees

The maximum fees are derived by using the formula given in Chapter 395 of the Texas Local Government Code. The City of Houston has evaluated the changes in the 2010-2020 Impact Fee Program and determined that the maximum allowable fees have increased, and that the fees the City has adopted are sufficiently below the maximum as proscribed by Chapter 395.

5. Findings:

- The 2010-2020 Impact Fee Program has been implemented and is acceptable for continued administration through the next reporting period.
- Review of service unit data indicates excess capacity in both the water and wastewater systems sufficient to accommodate new development through the next scheduled report in **July of 2020**.
- Water and wastewater facilities identified in the IFCIP are adequate to meet anticipated demand through **April 30, 2020**, the end of the next reporting period.

V. SUMMARY OF IMPACT FEE ACCOUNTS

A. Impact Fees Rates

Impact Fee rates are set by City Council in accordance with Chapter 395 of the Texas Local Government Code. A summary of the maximum allowable Impact Fees collectable and the rates adopted for the 2010-2020 Impact Fee Program is provided in Table 2. The Water/Wastewater impact fee for the reporting period has been effective since **July 1, 2019** with the implementation of the 2010-2020 Impact Fee Program. The current Water/Wastewater impact fee of **\$1,989.66** per service unit for water and wastewater is **27.40%** of the maximum fees allowed by current law.

TABLE 2
Maximum and Adopted Impact Fees

2010-2020 Program	<u>Wastewater</u>	<u>Water</u>	<u>Total</u>
Maximum Impact Fee/Residential Equivalent	\$3,427.07	\$3,835.44	\$7,262.51
Adopted Fee	\$1,199.11	\$790.55	\$1,989.66

B. Current Status of Fees

The City maintains separate accounts for recording revenues received from water and wastewater impact fees. The funds may be expended for design and construction services, and/or retiring debt service. As of **October 31, 2019**, the City has accrued **\$452,320,931.32** since implementing the impact fees ordinances in 1990. A total of **\$434,752,368.57** has been transferred to the revenue bond debt service fund. The amount of **\$17,568,562.75** is available for transfer to the debt service fund from impact fees accounts. Table 3 provides a summary of impact fee revenues and account balances.

TABLE 3
Status of Impact Fees Accounts

	<u>Wastewater</u>	<u>Water</u>	<u>Totals</u>
<i>1990-2000 Program Total</i>			
<i>Income</i>	\$44,115,871.05	\$19,557,816.07	\$63,673,687.12
<i>Transfers to Debt Service:</i>	\$44,115,871.05	\$19,557,816.07	\$63,673,687.12
<i>2000-2010 Program Total</i>			
<i>Income</i>	\$121,439,622.12	\$43,094,284.12	\$164,533,906.24
<i>Transfers to Debt Service:</i>	\$121,439,622.12	\$43,094,284.12	\$164,533,906.24
<i>2010-2020 Program</i>			
<i>Collections InCome</i>			
<i>(7/1/2010 - 10/31/2019)</i>	\$142,614,955.84	\$80,009,364.67	\$222,624,320.51
<i>Interest Income</i>			
<i>(7/1/2010 - 10/31/2019)</i>	\$951,020.26	\$537,997.19	\$1,489,017.45
<i>Total Income:</i>	\$143,565,976.10	\$80,547,361.86	\$224,113,337.96
<i>Transfers to Debt Service:</i>	\$133,148,549.67	\$73,396,225.54	\$206,544,775.21
<i>Not Transferred to Debt</i>			
<i>Service:</i>	\$10,417,426.43	\$7,151,136.32	\$17,568,562.75
<i>All-Time Total Income</i>			
<i>(6/1/1990 - 10/31/2019)</i>	\$309,121,469.27	\$143,199,462.05	\$452,320,931.32
<i>TOTAL AVAILABLE</i>			
<i>FOR TRANSFER</i>	\$10,417,426.43	\$7,151,136.32	\$17,568,562.75 *

*Total Available for Transfer reflects dollars to be transferred less payments made with insufficient funds.

C. Finding

- A total of **\$17,568,562.75** in the impact fee requires authorization for transfer to the revenue bond debt service fund.

VI. REVIEW OF PROGRAM IMPLEMENTATION

A. Analysis of Inequities

- Implementation: The Committee finds no inequitable implementation of the plan during this reporting period.
- Application of Fees: Impact fees for water and wastewater are based on a uniform usage standard calculated in single-family residential equivalents, i.e. 250 gallons per day (gpd) for water and 250 gpd for wastewater. City Council adopted the current single-family residential equivalent unit, and a standard conversion table (Impact Fee Service Unit Equivalent Table) which applies to the types of land uses, with the implementation of the 2010-2020 Impact Fee Program on July 1, 2010.

B. Reporting Period Activity

Provided by Ordinance 97-442, applicants qualify for a single-family residence (SFR) impact fee exemption as approved by Houston Public Works if the purchase price of the house does not exceed the latest available average of median prices for the past twelve months for single-family housing in the city as published by the Real Estate Center at Texas A&M University. The Maximum Exempt Unit Cost for the reporting period ranged from **\$235.369.00-239,741.00**.

C. Findings

- The Impact Fees Program continues to be implemented in an equitable manner.
- For this reporting period, 534 exemptions from impact fees have been applied for, and 27,165 impact fee exemptions for SFR building permits have been applied for since Ordinance 97-442 was enacted in April 1997.

**January 2020
Semiannual Report of the
Capital Improvements Advisory
Committee
On Drainage Impact Fees**

**Planning Commission
Acting as the
Capital Improvements Advisory Committee**

Martha L. Stein, Chair

**City of Houston
Houston Public Works
Houston Water**

**JANUARY 2020 SEMIANNUAL REPORT OF THE
CAPITAL IMPROVEMENTS ADVISORY COMMITTEE
ON DRAINAGE IMPACT FEES**

A. Background

In accordance with Chapter 395 Texas Local Government Code, City Council adopted Ordinances to establish procedures to administer the City's impact fee programs. Approval of Motion 90-0614 by City Council appointed the Planning Commission as the Capital Improvements Advisory Committee.

On November 2, 2010, Houston voters approved an amendment to the City Charter known as Proposition 1 on the ballot, commonly referred to as "ReBuild Houston", to "provide for the enhancement, improvement and ongoing renewal of Houston's drainage and streets by creating a Dedicated Pay-As-You-Go Fund for Drainage and Streets".

On February 7, 2012, City Council passed Ordinance No. 2012-0097, which authorized a professional services agreement enabling an engineering consulting firm to perform the *City of Houston Drainage Impact Fee Study* (Study).

Ordinance No. 2013-281 adopted Drainage Impact Fees based on recommendations made in the Study in accordance with Chapter 395 of the Texas Local Government Code. The Ordinance also amended Chapter 47 of the Code of Ordinances of Houston, Texas by adding Article XV entitled *Drainage Impact Fees*, as well as providing any additional findings and provisions that may be related to implementation and collection of Drainage Impact Fees.

B. Drainage Impact Fee Rates By Service Area

The purpose of the Study was to determine the maximum impact fee per unit of new development allowed by state law. Based on the recommendations provided in the Study, City Council adopted the following drainage impact fees per service unit, as shown in Table 4 below. These fees show the increase as required in the ordinance to begin on July 1, 2019.

TABLE 4 Impact Fees Per Service Area

<u>Service Area¹</u>	<u>Impact Fees per Service Units</u>
Addicks Reservoir	\$0.00
Barker Reservoir	\$0.00
Brays Bayou	\$9.41
Buffalo / White Oak	\$17.85
Clear Creek	\$0.43
Greens Bayou	\$14.62
Hunting Bayou	\$11.16
San Jacinto	\$0.00
Ship Channel	\$0.00
Sims / Vince	\$19.31

¹**Service Area:** geographic section within the boundary of the City of Houston in which all watersheds drain to a common outfall point.

²**Service Unit:** a measure of use of the Capital Improvement facilities within the Service Area, specifically defined as an additional 1,000 square feet of impervious cover.

C. Drainage Impact Fees Purchased

The total fees purchased by Service Area are shown in Table 5 below.

TABLE 5
Total Drainage Impact Fees Purchased Per Service Area
May 1, 2019 through October 31, 2019

<u>Service Area¹</u>	<u>Drainage Impact Fees</u>
Addicks Reservoir	\$0.00
Barker Reservoir	\$0.00
Brays Bayou	\$33,554.12
Buffalo Bayou	\$56,952.10
White Oak Bayou	\$76,358.06
Clear Creek	\$369.43
Greens Bayou	\$115,959.30
Hunting Bayou	5,520.96
San Jacinto	\$0.00
Ship Channel	\$0.00
Sims Bayou	\$73,344.12
Vince Bayou	7,831.92
TOTAL	\$369,890.01

**Fees to be reallocated to correct service area.*

D. Findings

- A total of **\$369,890.01** in Drainage Impact Fees was purchased between **May 1, 2019 through October 31, 2019**.
- A total of **\$2,855,971.29** was purchased since program inception.

Item No.	Subdivision Plat Name	App Type	Deferral
A-Consent			
1	AGIC TC Jester Community	C2	
2	Aragoste Parkway Street Dedication Sec 1	SP	
3	Baez Plaza Development	C2	
4	Balmoral Park Lakes East Utility Corridor	C2	
5	Bradsen Place	C3F	
6	Breckenridge West Sec 6	C3F	
7	Breckenridge West Sec 7	C3F	DEF1
8	Cypress Creek Landing Sec 4	C3P	
9	East Heights at Airline	C3F	DEF1
10	Groves Sec 33	C3F	
11	Groves Sec 34	C3F	
12	Groves Sec 35	C3F	
13	Harvest Green Reserves at West Airport	C2	
14	Haven at Highway Six GP	GP	
15	Haven At Highway Six Sec 1	C2	DEF1
16	Independence Landing	C2	
17	Jasmine Heights Sec 17	C3P	DEF1
18	Lakes of Bella Terra Reserve Sec 2	C2	
19	Levey Group 8 on the Loop	C2	
20	Mason Road and Jack Road Street Dedication Sec 1	SP	DEF1
21	Mason Road and Mound Road Street Dedication Sec 1	SP	DEF1
22	Neuen Manor partial replat no 16	C3F	
23	Northwest Harris County MUD no 12 Water Plant no 2	C3F	DEF1
24	Park Vista at El Tesoro Sec 1	C3F	
25	Parkway at Eldridge Sec 1 partial replat no 1 and extension	C3F	
26	Parkway Reserve at Harvest Green	C2	
27	Pin Oak Village Sec 3 partial replat no 1	C3F	
28	Port O Call Street Dedication Sec 1	C3P	
29	Remington Creek Ranch Sec 6	C3F	
30	Reserve at Harvest Green	C2	
31	Reserves at Cypress Rose Hill	C2	
32	Riverside Park Residences	C3F	DEF1
33	Royal Oaks Landing replat no 1	C3F	
34	Ruburfield Subdivision no 66 partial replat no 1	C3F	
35	Selinsky Square	C3P	
36	Stoneworks Park Plaza	C3F	DEF1
37	Sun Lake Village GP	GP	
38	Sun Lake Village Sec 1	C3P	
39	Tavola Sec 28	C3F	
40	Tavola Sec 29	C3F	
41	Timber Forest Drive Street Dedication Sec 6	C3F	
42	Weiser Business Park Sec 1	C3P	

Platting Summary**Houston Planning Commission****PC Date: January 23, 2020**

Item No.	Subdivision Plat Name	App	
		Type	Deferral
43	Westfield Village GP	GP	DEF1
44	Whitney Estates	C2	
45	Windrow Farm Drive Street Dedication Sec 1	SP	

B-Replats

46	Acres Urban Space	C2R	
47	Alief Park	C2R	DEF1
48	Allum Ridge Apartments	C2R	
49	Arbor at Wayforest	C2R	
50	Ava Place	C2R	
51	Belmont Addition no 1 partial replat no 1	C2R	DEF1
52	Breaktime at Westheimer	C2R	DEF1
53	Brenners Reserve GP	GP	
54	Brenners Reserve Sec 1	C2R	
55	Courtyard at Heights	C2R	DEF1
56	Delano Square	C2R	
57	Formosa Estates	C2R	DEF1
58	Heights Park North	C2R	
59	Holt Development	C2R	DEF1
60	Houston Heights partial replat no 26	C2R	DEF1
61	Iglesia De Jesucristo Camino Al Padre	C2R	DEF1
62	Kingbell Shopping Center replat no 2	C2R	
63	Lakeview Retreat Sec 9	C3R	
64	Live Oak Park	C2R	
65	Martin Street Court	C2R	
66	Maury at Lee Crossing	C2R	DEF1
67	Mississippi Park replat no 1 and extension	C2R	
68	Naomi Avenue Villas	C2R	
69	Oaks of Park Row	C3R	
70	Richmond Estates	C2R	
71	Riveras Best Produce	C2R	DEF1
72	Rosas Trail Views	C2R	
73	Ryon Estates	C2R	DEF1
74	Saint Emanuel Estates	C2R	DEF1
75	Solis Park	C2R	
76	Stassen Havens	C2R	
77	Villas on Illinois Street	C2R	
78	Yale Street Townhomes	C3R	

C-Public Hearings Requiring Notification

79	Gaywood partial replat no 1	C3N	DEF1
80	Glenhaven Estates Sec 1 partial replat no 1	C3N	
81	Newport Country Club Estates Sec 1 partial replat no 1	C3N	
82	Newport Sec 7 partial replat no 5	C3N	

Item No.	Subdivision Plat Name	App	
		Type	Deferral
83	Old River Terrace Sec 2 partial replat no 2 and extension	C3N	

D-Variances

84	Allison Circle	C3R	
85	Bergamo Vista Lift Station	C2	DEF1
86	Double Oak Commons GP	GP	DEF1
87	Elgin Smith	C2R	
88	Enterra at Oneil	C2R	DEF1
89	Forest Village Sec 12	C3P	
90	Forest Village Sec 13	C3P	
91	IDI Northwest Houston Distribution Center	C2	
92	McAlister Opportunity Fund 2012 GP	GP	
93	McAlister Opportunity Fund 2012 Sec 1	C2	
94	Baethe Road Street Dedication	SP	
95	Minero GP	GP	
96	Reserves on Airport Sec 1 replat no 1 and extension	C3R	
97	Reserves on Airport Sec 2	C2	
98	Royal Brook at Kingwood Mills Branch Reserve	C2	
99	Scott Street Lofts	C2R	

E-Special Exceptions

100	West Road Extension and Reserve replat no 1	C3R	
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F-Reconsideration of Requirements

101	Lutheran Vista	C2	
102	Porter Road Investments at US 59	C3P	

G-Extensions of Approval

103	BT Max2 Holdings LLC	EOA	
104	Coventry Sec 3 partial replat no 1 and extension	EOA	
105	Devonshire Place partial replat no 1	EOA	
106	Domain Heights	EOA	
107	Elyson Reserves Sec 2	EOA	
108	Jersey Acres Addition partial replat no 1	EOA	
109	Marketplace 249 Reserve Sec 1	EOA	
110	Pecan Estates Sec 1	EOA	
111	Tomball ISD Educational Campus	EOA	
112	Vargas Reserve on Westpark Drive	EOA	

H-Name Changes

113	Smart Living Allen Genoa (prev. Smart Living at Allen Genoa)	NC	
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Item		App	
No.	Subdivision Plat Name	Type	Deferral

I-Certification of Compliance

114	23129 E Community Dr	COC	
115	18588 Wisp Willow Way	COC	
116	23376 Ivy Ridge	COC	

J-Administrative

None

K-Development Plats with Variance Requests

117	3841 Meadow Lake Lane	DPV	
118	2301 University Boulevard	DPV	

Off-Street Parking with Variance Requests

VII	2301 University Boulevard	PV	
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Platting Summary**Houston Planning Commission****PC Date: January 23, 2020**

Item No.	Subdivision Plat Name	App No.	App Type	Location			Plat Data			Customer	
				Co	City/ ETJ	Key Map	Plat Ac	Rsv Ac	Lots	Developer	Applicant's Company

A-Consent

1	AGIC TC Jester Community	2020-0007	C2	Harris	City	411Z	0.46	0.00	5	American Good Investment & Construction LLC	Pioneer Engineering, LLC
2	Aragoste Parkway Street Dedication Sec 1	2019-2291	SP	Montgomery	ETJ	257F	2.68	0.00	0	Friendswood Development Company	LJA Engineering, Inc. - (West Houston Office)
3	Baez Plaza Development	2020-0071	C2	Harris	City	496L	0.69	0.69	0	Not Applicable	Beacon Land Services
4	Balmoral Park Lakes East Utility Corridor	2020-0080	C2	Harris	ETJ	376U	5.76	5.76	0	HCMUD NO. 400	Pape-Dawson Engineers
5	Bradsen Place	2020-0053	C3F	Harris	City	572Y	0.92	0.12	9	Faccuseh Investments Ltd. Co.	LJA Engineering, Inc. - (West Houston Office)
6	Breckenridge West Sec 6	2019-2293	C3F	Harris	ETJ	293X	36.68	10.01	135	D.R. Horton-Texas LTD	Van De Wiele & Vogler, Inc.
7	Breckenridge West Sec 7 (DEF1)	2019-2292	C3F	Harris	ETJ	333C	16.03	1.13	82	D.R. Horton-Texas Ltd., A Texas Limited Partnership	Van De Wiele & Vogler, Inc.
8	Cypress Creek Landing Sec 4	2020-0044	C3P	Harris	ETJ	331S	12.65	0.47	64	KB Home Lone Stare Inc	IDS Engineering Group
9	East Heights at Airline (DEF1)	2019-2279	C3F	Harris	City	453T	4.84	0.39	78	CND-Airline, LLC	Pioneer Engineering, LLC
10	Groves Sec 33	2020-0010	C3F	Harris	ETJ	376R	20.85	1.33	87	LH Groves LLC, a Delaware limited liability company	BGE, Inc.
11	Groves Sec 34	2020-0011	C3F	Harris	ETJ	377J	28.17	11.39	55	LH Groves LLC, a Delaware limited liability company	BGE, Inc.
12	Groves Sec 35	2020-0012	C3F	Harris	ETJ	376M	9.75	1.24	38	LH Groves LLC, a Delaware limited liability company	BGE, Inc.
13	Harvest Green Reserves at West Airport	2020-0052	C2	Fort Bend	ETJ	566C	15.73	15.73	0	Johnson Development	Jones Carter
14	Haven at Highway Six GP	2020-0068	GP	Fort Bend	ETJ	651A	38.48	0.00	0	Ward, Getz and Associates	Windrose
15	Haven At Highway Six Sec 1 (DEF1)	2019-2335	C2	Fort Bend	ETJ	651A	14.74	14.74	0	Ward, Getz and Associates	Windrose
16	Independence Landing	2019-2239	C2	Harris	City	452H	0.50	0.01	13	RZ Enterprises	Total Surveyors, Inc.
17	Jasmine Heights Sec 17 (DEF1)	2019-2313	C3P	Harris	ETJ	406W	28.20	1.34	116	DR Horton	META Planning + Design, LLC
18	Lakes of Bella Terra Reserve Sec 2	2020-0062	C2	Fort Bend	ETJ	525J	20.68	20.68	0	L.O.B. Limited Partnership	Benchmark Engineering Corporation
19	Levey Group 8 on the Loop	2020-0026	C2	Harris	City	534N	8.20	8.20	0	LEVEY GROUP FUND 20, LLC.,	Atkinson Engineers
20	Mason Road and Jack Road Street Dedication Sec 1 (DEF1)	2019-2303	SP	Harris	ETJ	366A	10.80	0.00	0	Mason Westgreen LP, a Texas limited partnership	BGE, Inc.

Platting Summary**Houston Planning Commission****PC Date: January 23, 2020**

Item No.	Subdivision Plat Name	App No.	App Type	Location			Plat Data			Customer	
				Co	City/ ETJ	Key Map	Plat Ac	Rsv Ac	Lots	Developer	Applicant's Company
21	Mason Road and Mound Road Street Dedication Sec 1 (DEF1)	2019-2302	SP	Harris	ETJ	326W	3.92	0.00	0	Mason Westgreen LP, a Texas limited partnership	BGE, Inc.
22	Neuen Manor partial replat no 16	2019-2228	C3F	Harris	City	450U	0.59	0.01	12	Metro Living	PLS CONSTRUCTION LAYOUT, INC
23	Northwest Harris County MUD no 12 Water Plant no 2 (DEF1)	2019-2353	C3F	Harris	ETJ	446A	1.96	1.96	0	Northwest Harris County MUD No 12	R.G. Miller Engineers
24	Park Vista at El Tesoro Sec 1	2020-0001	C3F	Harris	City	574L	29.33	12.55	109	Peluda, LLC	Pape-Dawson Engineers
25	Parkway at Eldridge Sec 1 partial replat no 1 and extension	2020-0015	C3F	Harris	City	488T	9.37	9.37	0	SUEBA DEVELOPMENT 191, LP	BGE, Inc.
26	Parkway Reserve at Harvest Green	2020-0049	C2	Fort Bend	ETJ	566C	2.19	2.19	0	Johnson Development	Jones Carter
27	Pin Oak Village Sec 3 partial replat no 1	2020-0076	C3F	Fort Bend	ETJ	484G	0.28	0.28	0	Windrose	Windrose
28	Port O Call Street Dedication Sec 1	2020-0066	C3P	Harris	ETJ	379T	0.48	0.00	0	Windrose	Windrose
29	Remington Creek Ranch Sec 6	2019-2339	C3F	Harris	ETJ	373E	12.90	5.93	47	Woodmere Development Co., LTD, A Texas Limited Partnership	Van De Wiele & Vogler, Inc.
30	Reserve at Harvest Green	2020-0046	C2	Fort Bend	ETJ	526Y	10.25	10.25	0	Johnson Development	Jones Carter
31	Reserves at Cypress Rose Hill	2020-0042	C2	Harris	ETJ	286Z	82.77	82.77	0	West Belt Surveying, Inc.	West Belt Surveying, Inc.
32	Riverside Park Residences (DEF1)	2019-2364	C3F	Harris	City	534E	1.00	0.01	8	P 48 MANAGEMENT	ICMC GROUP INC
33	Royal Oaks Landing replat no 1	2020-0054	C3F	Harris	City	489W	11.54	0.69	115	Royal Oaks Landing LLC	LJA Engineering, Inc.- (West Houston Office)
34	Ruburfield Subdivision no 66 partial replat no 1	2020-0050	C3F	Harris	City	533Y	0.11	0.00	1	TEAM HBC, Inc	Owens Management Systems, LLC
35	Selinsky Square	2020-0021	C3P	Harris	City	574K	7.92	2.52	40	Vernon Henry and Associates	Vernon G. Henry & Associates, Inc.
36	Stoneworks Park Plaza (DEF1)	2019-2360	C3F	Harris	City	413X	6.08	0.42	84	Stoneworks, LLC	Total Surveyors, Inc.
37	Sun Lake Village GP	2019-2286	GP	Harris	ETJ	446J	131.90	0.00	0	Morton Lake Company, Inc.	CobbFendley
38	Sun Lake Village Sec 1	2019-2271	C3P	Harris	ETJ	446J	15.39	0.88	82	Morton Lake Company, Inc.	CobbFendley
39	Tavola Sec 28	2020-0034	C3F	Montgomery	ETJ	257J	10.73	1.40	49	Friendswood Development Company	LJA Engineering, Inc.- (West Houston Office)
40	Tavola Sec 29	2020-0037	C3F	Montgomery	ETJ	257E	18.24	0.96	92	Friendswood Development Company	LJA Engineering, Inc.- (West Houston Office)
41	Timber Forest Drive Street Dedication Sec 6	2020-0075	C3F	Harris	ETJ	377N	6.11	0.71	0	Balmoral LT, LLC	Jones Carter - Woodlands Office
42	Weiser Business Park Sec 1	2020-0031	C3P	Harris	ETJ	368T	131.92	123.64	0	Trammel Crow Company	EHRA
43	Westfield Village GP (DEF1)	2019-2312	GP	Harris	ETJ	446A	1560.80	0.00	0	KECH I LTD	META Planning + Design, LLC
44	Whitney Estates	2020-0061	C2	Harris	City	452M	0.49	0.01	12	Metro Living	PLS CONSTRUCTION LAYOUT, INC

Platting Summary**Houston Planning Commission****PC Date: January 23, 2020**

Item No.	Subdivision Plat Name	App No.	App Type	Location			Plat Data			Customer	
				Co	City/ ETJ	Key Map	Plat Ac	Rsv Ac	Lots	Developer	Applicant's Company
45	Windrow Farm Drive Street Dedication Sec 1	2020-0051	SP	Harris	ETJ	325E	0.45	0.00	0	Pulte Homes of Texas, L.P.	Costello, Inc.

B-Replats

46	Acres Urban Space	2020-0022	C2R	Harris	City	452B	1.87	0.07	30	Acres Urban Space	Pioneer Engineering, LLC
47	Alief Park (DEF1)	2019-2192	C2R	Harris	City	529E	36.70	36.70	0	Gradient Group, LLC	Windrose
48	Allum Ridge Apartments	2020-0006	C2R	Harris	City	571G	1.50	1.41	0	Albino Torres	The Pinnell Group, LLC
49	Arbor at Wayforest	2019-2300	C2R	Harris	ETJ	373J	8.19	8.19	0	Harverst Time Evangelistic Center, INC	LJA Engineering, Inc.- (West Houston Office)
50	Ava Place	2020-0077	C2R	Harris	City	452N	0.25	0.00	6	Alleanza Custom Homes	Level Up
51	Belmont Addition no 1 partial replat no 1 (DEF1)	2019-2320	C2R	Harris	City	533M	0.11	0.00	2	Rincon	Texas Legal Media
52	Breaktime at Westheimer (DEF1)	2019-2358	C2R	Harris	City	492U	0.36	0.33	0	Break Time Market	The Interfield Group
53	Brenners Reserve GP	2020-0039	GP	Harris	City	489C	1.80	0.00	0	Willie Gs Post Oak Inc	Benchmark Engineering Corporation
54	Brenners Reserve Sec 1	2020-0043	C2R	Harris	City	489C	0.92	0.92	0	Willie Gs Post Oak Inc	Benchmark Engineering Corporation
55	Courtyard at Heights (DEF1)	2019-2333	C2R	Harris	City	452T	0.38	0.09	7	Courtyard at the Heights, LLC	Owens Management Systems, LLC
56	Delano Square	2020-0057	C2R	Harris	City	493Y	0.11	0.00	3	Arabelle Properties, LLC	ICMC GROUP INC
57	Formosa Estates (DEF1)	2019-2311	C2R	Harris	City	452U	0.15	0.00	3	Archeccentric Concepts & Designs, LLC	JAG Engineering, Inc.
58	Heights Park North	2020-0036	C2R	Harris	City	453X	0.39	0.02	10	Gotham Development, LLC	Pioneer Engineering, LLC
59	Holt Development (DEF1)	2019-2187	C2R	Harris	City	491X	0.99	0.99	0	ZK Building Design	Windrose
60	Houston Heights partial replat no 26 (DEF1)	2019-2350	C2R	Harris	City	452V	0.19	0.00	2	C H Builders, Inc.	Richard Grothues Designs
61	Iglesia De Jesucristo Camino Al Padre (DEF1)	2019-2356	C2R	Harris	ETJ	372F	10.20	10.20	0	Advance Surveying	Advance Surveying, Inc.
62	Kingbell Shopping Center replat no 2	2020-0073	C2R	Fort Bend	ETJ	528W	1.87	1.87	0	Kingsbridge Shopping Center, Ltd c/o Kimley Horn & Assoc.	Terra Surveying Company, Inc.
63	Lakeview Retreat Sec 9	2020-0025	C3R	Fort Bend	ETJ	526M	1.70	0.31	7	DR Horton	META Planning + Design, LLC
64	Live Oak Park	2020-0067	C2R	Harris	City	493Y	0.34	0.00	9	Metro Living	PLS CONSTRUCTION LAYOUT, INC
65	Martin Street Court	2020-0027	C2R	Harris	City	452G	0.28	0.00	7	Summerton Homes, LLC	Total Surveyors, Inc.
66	Maury at Lee Crossing (DEF1)	2019-2306	C2R	Harris	City	493D	0.11	0.00	3	EZ Deal Properties LLC	CE Engineers & Development Consultants, INC

Platting Summary**Houston Planning Commission****PC Date: January 23, 2020**

Item No.	Subdivision Plat Name	App No.	App Type	Location			Plat Data			Customer	
				Co	City/ ETJ	Key Map	Plat Ac	Rsv Ac	Lots	Developer	Applicant's Company
67	Mississippi Park replat no 1 and extension	2020-0016	C2R	Harris	City	495U	10.40	10.40	0	The Port of Houston Authority	Pape-Dawson Engineers
68	Naomi Avenue Villas	2020-0028	C2R	Harris	City	532R	0.12	0.00	2	Sagecap, Inc.	Total Surveyors, Inc.
69	Oaks of Park Row	2020-0079	C3R	Harris	City	447Y	6.01	0.47	87	Windrose	Windrose
70	Richmond Estates	2020-0033	C2R	Harris	City	492Z	0.27	0.27	0	Advance Surveying	Advance Surveying, Inc.
71	Riveras Best Produce (DEF1)	2019-2258	C2R	Harris	City	453T	0.25	0.25	0	Rivera's Best Produce	RED CONSULTANTS
72	Rosas Trail Views	2020-0065	C2R	Harris	City	574A	0.29	0.00	5	Best Homes Builders LLC	Bowden Land Services & Consulting
73	Ryon Estates (DEF1)	2019-2368	C2R	Harris	City	493D	0.22	0.00	5	BB RESIDENTIAL	Level Up
74	Saint Emanuel Estates (DEF1)	2019-2342	C2R	Harris	City	493Y	0.34	0.00	6	BB RESIDENTIAL	Level Up
75	Solis Park	2020-0047	C2R	Harris	City	574U	0.43	0.00	1	Advance Surveying	Advance Surveying, Inc.
76	Stassen Havens	2020-0002	C2R	Harris	City	533T	0.14	0.00	2	CAS Consultants, LLC	CAS Consultants, LLC
77	Villas on Illinois Street	2020-0063	C2R	Harris	City	533G	0.23	0.00	5	Lan Homes, LLC	ICMC GROUP INC
78	Yale Street Townhomes	2020-0024	C3R	Harris	City	452H	2.73	0.24	49	Yale Plaza, LLC	HRS and Associates, LLC

C-Public Hearings Requiring Notification

79	Gaywood partial replat no 1 (DEF1)	2019-2012	C3N	Harris	City	489F	0.67	0.00	2	n/a	South Texas Surveying Associates, Inc.
80	Glenhaven Estates Sec 1 partial replat no 1	2019-2076	C3N	Harris	City	491W	0.56	0.56	0	Tej Investments, LLC	Tetra Surveys
81	Newport Country Club Estates Sec 1 partial replat no 1	2019-2166	C3N	Harris	ETJ	419A	0.99	0.00	2	WINDROSE LAND SERVICES	Windrose
82	Newport Sec 7 partial replat no 5	2019-2267	C3N	Harris	ETJ	419B	12.50	1.00	52	Friendswood Development Company	LJA Engineering, Inc. - (West Houston Office)
83	Old River Terrace Sec 2 partial replat no 2 and extension	2019-2200	C3N	Harris	ETJ	498D	7.30	7.30	0	Ashland Hospitality Inc	MOMENTUM ENGINEERING

D-Variances

84	Allison Circle	2020-0017	C3R	Harris	City	574S	6.43	1.26	26	Vernon Henry and Associates	Vernon G. Henry & Associates, Inc.
85	Bergamo Vista Lift Station (DEF1)	2019-2276	C2	Harris	ETJ	445B	0.23	0.23	0	WILBOW-BERGAMO VISTA LLC, a Texas limited Liability Company	LJA Engineering, Inc. - (West Houston Office)
86	Double Oak Commons GP (DEF1)	2019-2299	GP	Harris	ETJ	285T	21.80	0.00	0	Double Oak Resources, Inc.	The Pinnell Group, LLC

Platting Summary**Houston Planning Commission****PC Date: January 23, 2020**

Item No.	Subdivision Plat Name	App No.	App Type	Location			Plat Data			Customer	
				Co	City/ ETJ	Key Map	Plat Ac	Rsv Ac	Lots	Developer	Applicant's Company
87	Elgin Smith	2020-0014	C2R	Harris	City	493T	0.72	0.72	0	Midtown Assemblage, LTD, a Texas Limited Partnership	Vernon G. Henry & Associates, Inc.
88	Enterra at Oneil (DEF1)	2019-2359	C2R	Harris	City	493P	0.23	0.00	6	Enterra Homes	The Interfield Group
89	Forest Village Sec 12	2020-0004	C3P	Montgomery	ETJ	292D	11.55	2.19	57	Woodmere Development Co., LTD, A Texas Limited Partnership	Van De Wiele & Vogler, Inc.
90	Forest Village Sec 13	2020-0005	C3P	Montgomery	ETJ	292D	9.39	0.91	46	Woodmere Development Co., LTD, A Texas Limited Partnership	Van De Wiele & Vogler, Inc.
91	IDI Northwest Houston Distribution Center	2019-2289	C2	Harris	ETJ	448D	22.80	22.80	0	Halff & Associates	MBCO Engineering
92	McAlister Opportunity Fund 2012 GP	2020-0038	GP	Harris	ETJ	324L	264.27	0.00	0	McAlister Opportunity Fund 2012	EHRA
93	McAlister Opportunity Fund 2012 Sec 1	2020-0041	C2	Harris	ETJ	324L	260.32	260.32	0	McAlister Opportunity Fund 2012, LP	EHRA
94	Baethe Road Street Dedication	2020-0040	SP	Harris	ETJ	324Q	3.96	0.00	0	McAlister Opportunity Fund 2012	EHRA
95	Minero GP	2020-0032	GP	Harris	ETJ	364C	75.39	0.00	0	Minero Holdings LLC	EHRA
96	Reserves on Airport Sec 1 replat no 1 and extension	2020-0008	C3R	Harris	City	573E	21.25	20.09	0	Fuller South Freeway, LTD.	BGE, Inc. - Land Planning
97	Reserves on Airport Sec 2	2020-0009	C2	Harris	City	573K	135.22	135.22	0	Fuller South Freeway, LTD.	BGE, Inc. - Land Planning
98	Royal Brook at Kingwood Mills Branch Reserve	2020-0023	C2	Harris/Montgomery	City/ETJ	297J	48.71	48.44	0	Prabhakar Guniganti	Jones Carter - Woodlands Office
99	Scott Street Lofts	2020-0072	C2R	Harris	City	494S	1.48	1.46	0	Mark-Dana Corporation	Total Surveyors, Inc.

E-Special Exceptions

100	West Road Extension and Reserve replat no 1	2020-0056	C3R	Harris	ETJ	406B	5.28	0.64	0	MREC LT STERLING CANYON, LLC	Jones Carter - Woodlands Office
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F-Reconsideration of Requirements

101	Lutheran Vista	2020-0018	C2	Harris	ETJ	287H	5.04	0.00	2	N/A	replats.com
102	Porter Road Investments at US 59	2020-0069	C3P	Montgomery	ETJ	296B	37.15	35.17	0	Porter Road Investments, LLC	Hovis Surveying Company Inc.

G-Extensions of Approval

Platting Summary**Houston Planning Commission****PC Date: January 23, 2020**

Item No.	Subdivision Plat Name	App No.	App Type	Location			Plat Data			Customer	
				Co	City/ETJ	Key Map	Plat Ac	Rsv Ac	Lots	Developer	Applicant's Company
103	BT Max2 Holdings LLC	2019-0250	EOA	Harris	ETJ	289V	1.60	1.60	0	BT Max2 Holdings LLC	Hovis Surveying Company Inc.
104	Coventry Sec 3 partial replat no 1 and extension	2019-0157	EOA	Harris	ETJ	250T	4.84	4.84	0	NW Harris County MUD No. 19	R.G. Miller Engineers
105	Devonshire Place partial replat no 1	2018-2513	EOA	Harris	City	533E	0.27	0.01	4	N/A	The Interfield Group
106	Domain Heights	2019-0456	EOA	Harris	City	452V	6.20	6.20	0	City Street Residential	Terra Associates, Inc.
107	Elyson Reserves Sec 2	2019-0121	EOA	Harris	ETJ	405T	39.03	39.03	0	Nash FM 529, LLC a Delaware limited liability company	BGE, Inc.
108	Jersey Acres Addition partial replat no 1	2019-0046	EOA	Harris	ETJ	409Y	0.19	0.01	2	Tang Law Firm	Tetra Surveys
109	Marketplace 249 Reserve Sec 1	2019-0146	EOA	Harris	ETJ	411B	21.26	21.26	0	LIDL US Operations, LLC, et al	EHRA
110	Pecan Estates Sec 1	2018-2473	EOA	Harris	ETJ	419L	33.73	1.55	148	Murff Family Land, LLC	LJA Engineering, Inc. - (West Houston Office)
111	Tomball ISD Educational Campus	2019-0614	EOA	Harris	ETJ	287W	140.81	140.81	0	West Belt Surveying, Inc.	West Belt Surveying, Inc.
112	Vargas Reserve on Westpark Drive	2019-0067	EOA	Harris	ETJ	527G	0.53	0.53	0	PRO-SURV	PROSURV

H-Name Changes

113	Smart Living Allen Genoa (prev. Smart Living at Allen Genoa)	2019-1901	NC	Harris	City	536N	10.00	10.00	0	URBAN MERIDIAN	Civil-Surv Land Surveying, L.C.
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I-Certification of Compliance

114	23129 E Community Dr	20-1510	COC	Montgomery	ETJ	256Z				Brian Ring	Calvin Ring
115	18588 Wisp Willow Way	20-1511	COC	Montgomery	ETJ	295K				Rebeca Maldonado	Rebeca Maldonado and Leonel Banuelos Diaz
116	23376 Ivy Ridge	20-1512	COC	Montgomery	ETJ	295K				Yuri Perez	Yuri Perez

J-Administrative

None

K-Development Plats with Variance Requests

117	3841 Meadow Lake Lane	19116712	DPV	Harris	City	492N				Jeff Boutte	Windrose Land Services
118	2301 University Boulevard	19108668	DPV	Harris	City	532C				Collaborative Projects, LLC	Collaborative Projects, LLC

Off-Street Parking with Variance Requests

Platting Summary**Houston Planning Commission****PC Date: January 23, 2020**

Item		App No.	App Type	Location			Plat Data			Customer	
				Co	City/ ETJ	Key Map	Plat Ac	Rsv Ac	Lots	Developer	Applicant's Company
VII	2301 University Boulevard	19108668	PV	Harris	City	532C				Collaborative Projects, LLC	Collaborative Projects, LLC

Houston Planning Commission

ITEM: 79

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Gaywood partial replat no 1 (DEF 1)

Applicant: South Texas Surveying Associates, Inc.



C – Public Hearings

Site Location

Houston Planning Commission

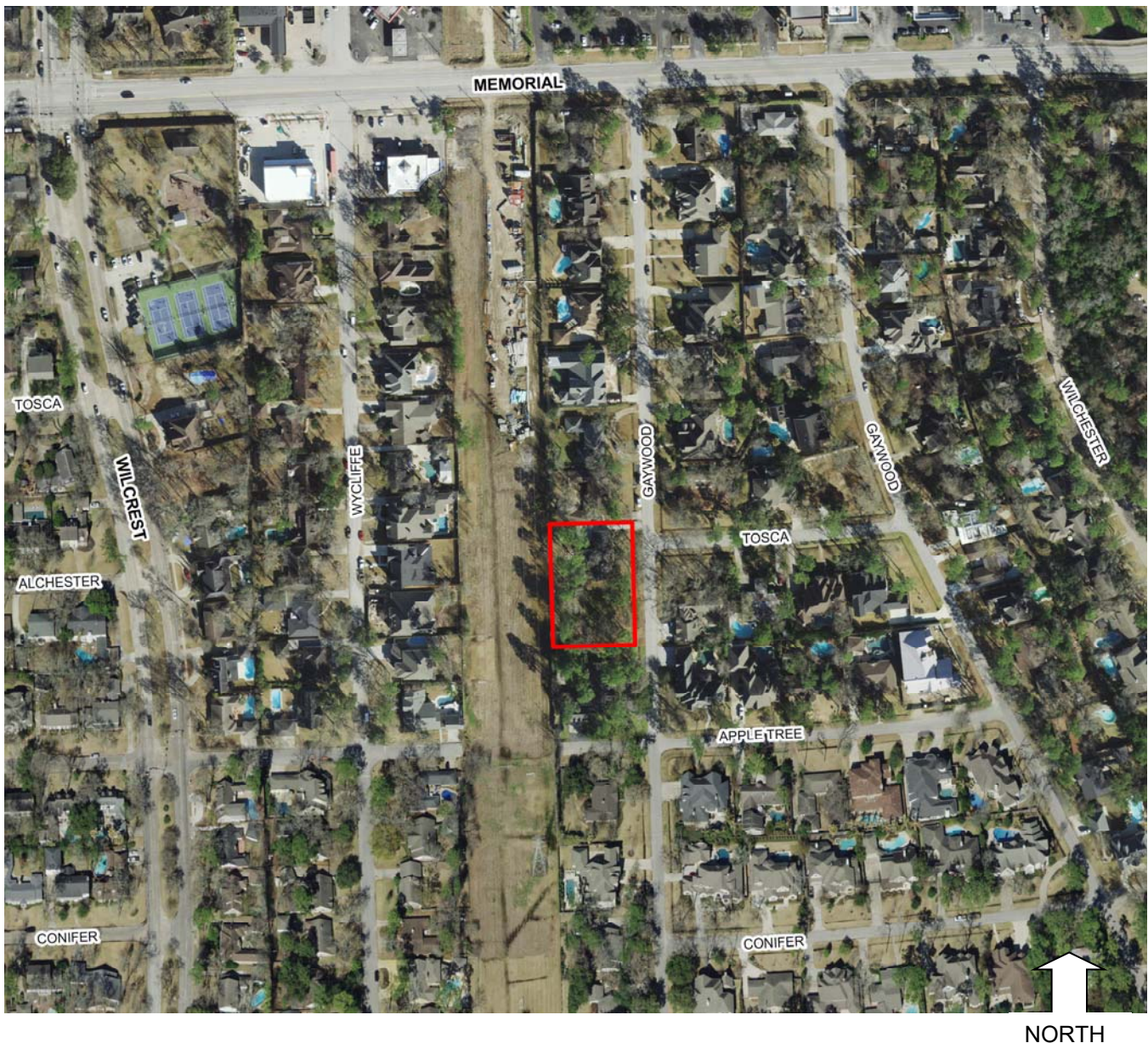
ITEM: 79

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Gaywood partial replat no 1 (DEF 1)

Applicant: South Texas Surveying Associates, Inc.



C – Public Hearings

Aerial



CITY OF HOUSTON
Planning and Development

Sylvester Turner
Mayor

Public Hearing Notice



Margaret Wallace Brown
Director
P.O. Box 1562
Houston, Texas 77251-1562

T. 832.393.6600
F. 832.393.6661
www.houstontx.gov

December 10, 2019

Dear Property Owner:

Reference Number: 2019-2012

The Houston Planning and Development Department has received a subdivision plat application to allow the replatting of "Gaywood Amending plat no 1". This proposal includes the replatting of Lot 9 of Block 2, as recorded in Volume 628 Page 276 of the Harris County Map Records. The new subdivision name is "**Gaywood partial replat no 1**".

The property is located south of Memorial Drive, north of Apple Tree Road, along the west side of W. Gaywood Drive.

The purpose of the replat is to create 2 single family residential lots.

The applicant, Patrick Cook, with South Texas Surveying Associates, Inc., can be contacted 281-556-6918.

Pursuant to Local Government Code 212.015 and the City of Houston's Code of Ordinances, Chapter 42, the Planning Commission has established a public hearing date for this item. As required, the Planning Department is sending you written notice of the public hearing.

The requirements for notification specify that this notice be mailed to all owners of property within 250' of the boundary of the plat and all parcels along or across from a block face that abuts any street or private roadway extending 500 feet from the plat as measured along the centerline of any street or private roadway that abuts the boundary of the plat.

A sign has been posted on site indicating the public hearing date, location and time. There are no variances being requested with this item. It appears that this replat conforms with all Chapter 42 requirements. You may speak regarding this replat at the public hearing on:

Thursday, January 9, 2020 at 2:30 PM
City Hall Annex Building, 900 Bagby Street
City Council Chamber, Public Level Houston, Texas

For additional information contact Planning Department personnel at **(832) 393-6600**.

Be advised that state law requires the Houston Planning Commission to approve each subdivision plat and replat that complies with the provisions of Chapter 42 and any other applicable laws and requirements.

THE PLAT MAY BE DEFERRED. THE NEW DATE FOR COMMISSION ACTION WILL BE INDICATED ON THE POSTED SIGN(S) THE TUESDAY MORNING FOLLOWING THE PLANNING COMMISSION DEFERRAL.

Para más información acerca de este documento, favor de llamar al Departamento de Planificación y Desarrollo al 832-393-6659.

See reverse side for useful information

Terminology

- **Subdivision plat.** A graphical presentation of a particular surveyed tract of land laying out street rights-of-way, lots and reserves, building setback lines, and easements which must comply with the development requirements of the City of Houston's, Code of Ordinances, Chapter 42. These regulations, adopted by City Council, are intended to promote the safe, orderly and healthy development of the City and its extraterritorial jurisdiction. The approved map subsequently may be filed and recorded with the appropriate county clerk's office as the official map of record for this property.
- **Subdivision replat.** Is simply a subdivision plat that further subdivides an existing subdivision plat. Typically, a replat will make changes to the layout of lots, reserves, building setback lines and easements.
- **Deed restrictions.** Are private covenants between property owners that are recorded with the appropriate county clerk's office that bind all or some property owners in a neighborhood or subdivision to follow a specific set of guidelines. Typically, deed restrictions are designed to limit activities, building layout and design, and / or land uses. A replat does not amend or remove any deed restrictions.
- **Extraterritorial jurisdiction (ETJ).** Represents the area extending beyond Houston's corporate limits approximately five miles into the unincorporated areas of Harris, Fort Bend, Liberty, Montgomery, and Waller counties.
- **Chapter 42.** The City of Houston's, Code of Ordinances that describes the rules and regulations for subdividing property within the corporate limits and the extraterritorial jurisdiction.
- **Local Government Code 212.015.** The state law section that describes the purpose and requirements of property owner notification when preparing certain replats.
- **Variance.** A deviation from strict compliance with the rules and regulations of Chapter 42. The applicant must document a reasonable hardship that staff can evaluate.

Planning Commission Body, Authority and Obligation

- The Houston Planning Commission is a non-legislative body authorized to govern the subdivision rules and regulations described in Chapter 42. The Commission consists of 20 members and meets every two weeks per their adopted Commission meeting schedule.
- Should a replat meet the subdivision rules and regulations of Chapter 42 and not include a variance request the Planning Commission is obligated to approve the replat. These subdivision rules and regulations do not include the site's land use, structure(s), parking, lighting, drainage, etc.

Planning Department Staff Authority and Obligation

- Development Services Division reviews subdivision plats and replats for compliance with the rules and regulations described in Chapter 42 and in Local Government Code 212.015 and prepares recommendations for Planning Commission consideration.
- Should a plat or replat meet the above rules and regulations of Chapter 42 the staff is obligated to recommend approval subject to minor corrections and further coordination with other agencies that have required more detailed information.
- For a development within Houston's incorporated city limits a site plan locating structure(s), parking, and landscaping is reviewed when a building permit is filed. This plan receives an administrative approval if it complies with other development rules and regulations. Should the site plan not comply, or the applicant wishes to deviate from these standards, a development plat variance may be presented to the Planning Commission.

Houston Planning Commission

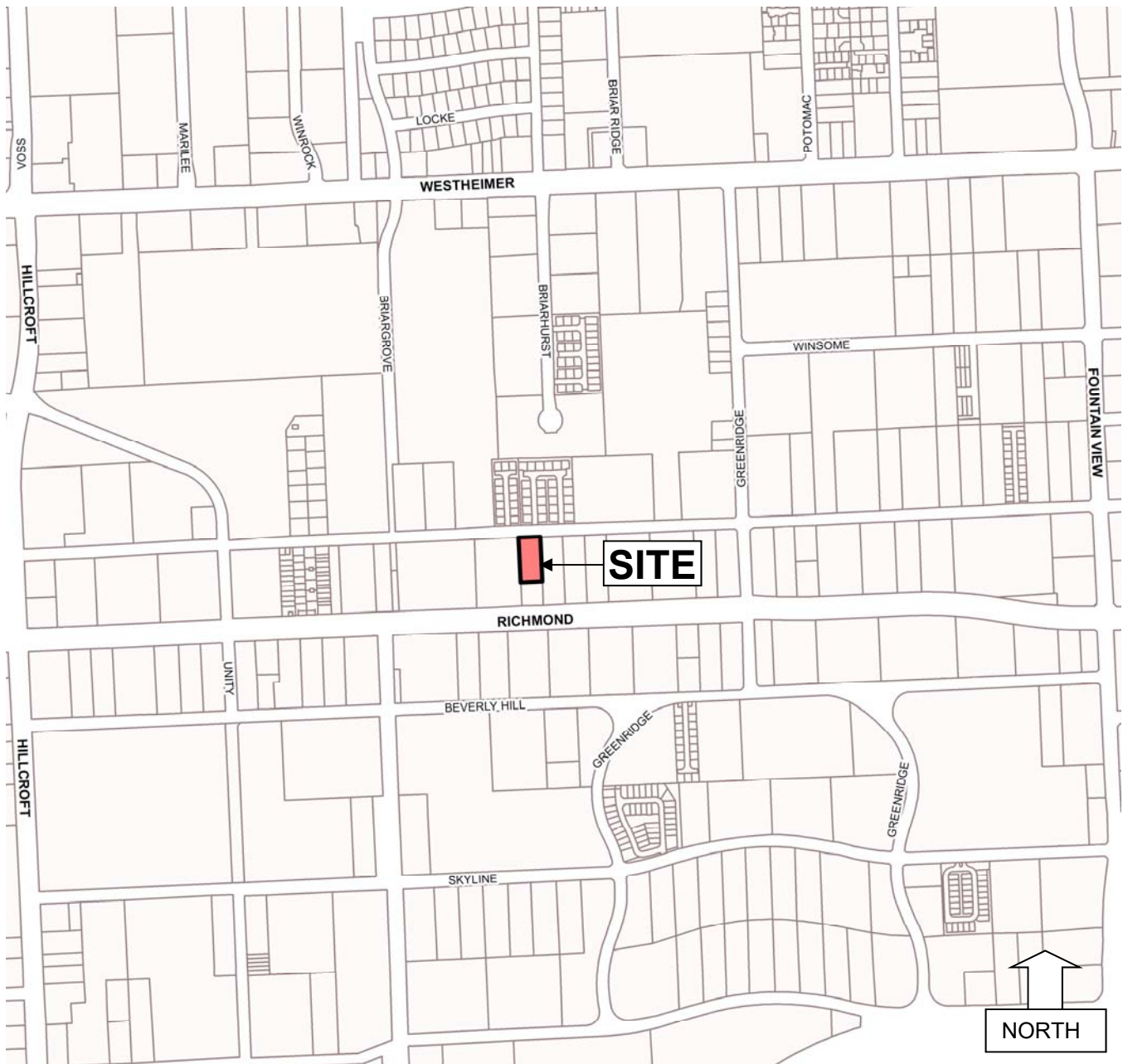
ITEM: 80

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Glenhaven Estates Sec 1 partial replat no 1

Applicant: Tetra Surveys



C – Public Hearings

Site Location

Houston Planning Commission

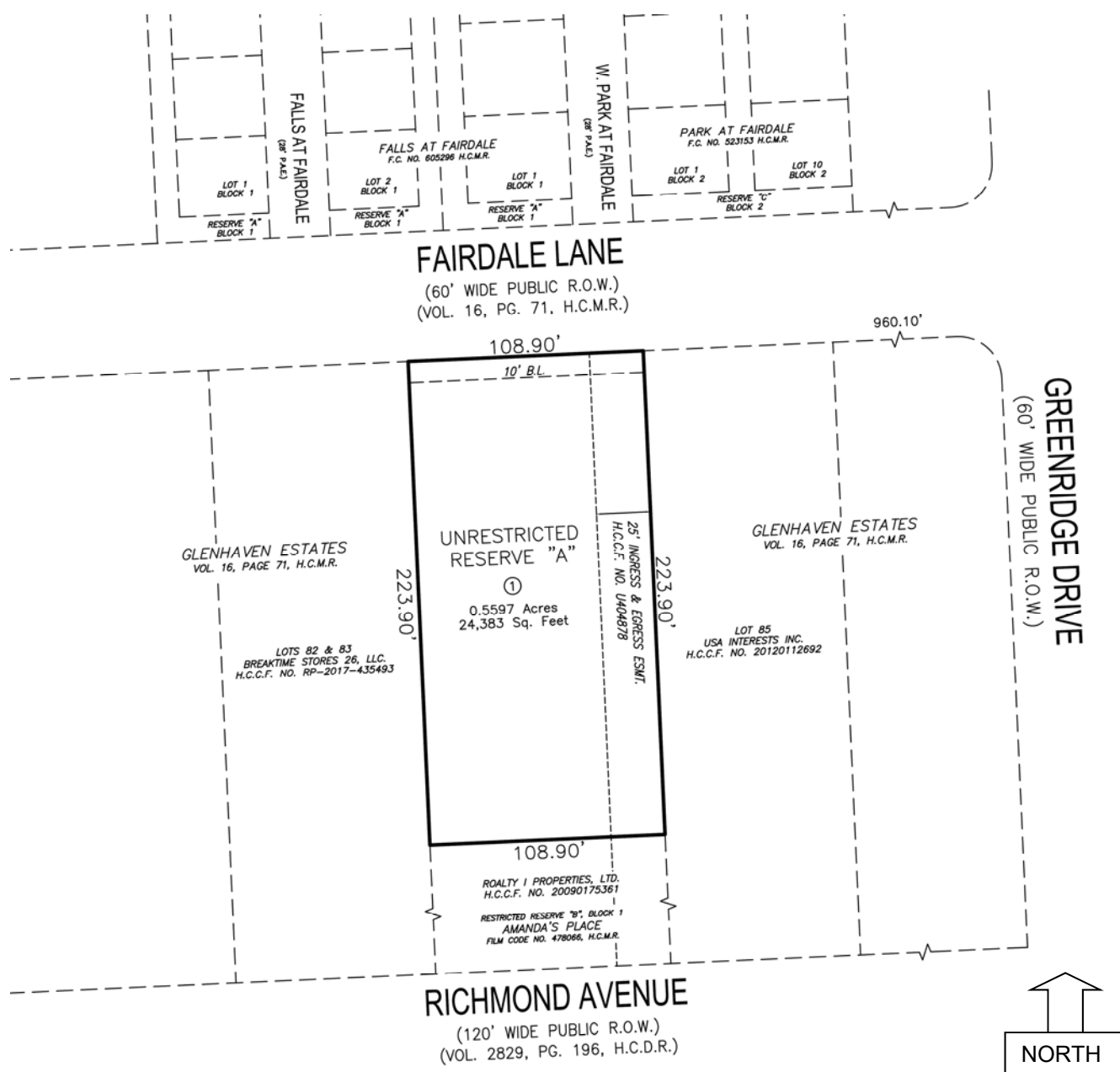
ITEM: 80

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Glenhaven Estates Sec 1 partial replat no 1

Applicant: Tetra Surveys



C – Public Hearings

Subdivision

Houston Planning Commission

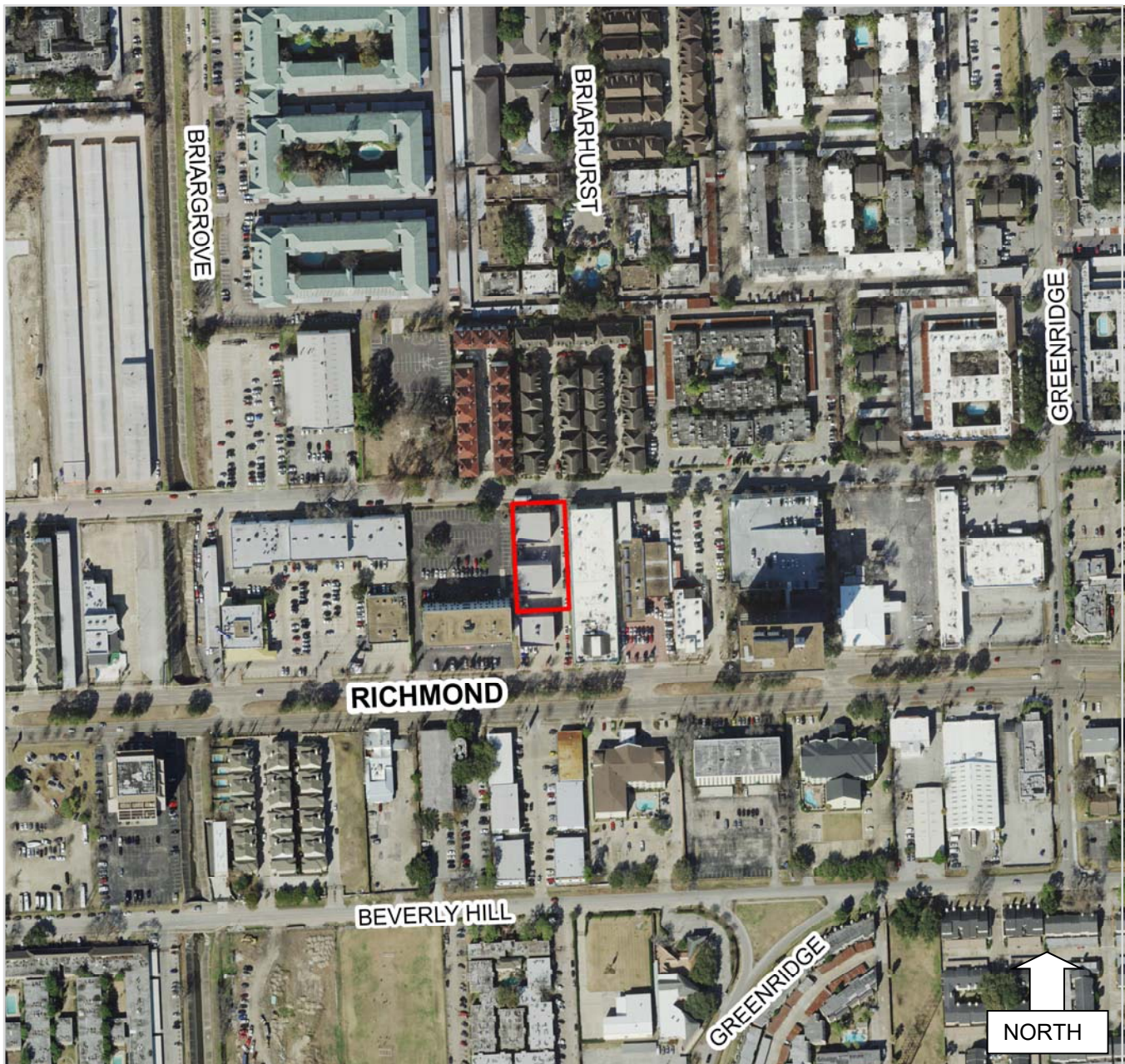
ITEM: 80

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Glenhaven Estates Sec 1 partial replat no 1

Applicant: Tetra Surveys



C – Public Hearings

Aerial



CITY OF HOUSTON
Planning and Development

Sylvester Turner
Mayor

Public Hearing Notice



Margaret Wallace Brown
Director
P.O. Box 1562
Houston, Texas 77251-1562

T. 832.393.6600
F. 832.393.6661
www.houstontx.gov

December 26, 2019

Dear Property Owner:

Reference Number: 2019-2076

The Houston Planning and Development Department has received a subdivision plat application to allow the replatting of "**Amandas Place**". This proposal includes the replatting of Reserve A of Block 1, as recorded in Volume 478 Page 66 of the Harris County Map Records. The new subdivision name is "**Glenhaven Estates Sec 1 partial replat no 1**".

The property is located west of Greenridge Drive, east of Unity Drive, along the south side of Fairdale Lane.

The purpose of the replat is to one unrestricted reserve.

The applicant, Paul Coyne, with Tetra Surveys, can be contacted at 713-462-6100.

Pursuant to Local Government Code 212.015 and the City of Houston's Code of Ordinances, Chapter 42, the Planning Commission has established a public hearing date for this item. As required, the Planning Department is sending you written notice of the public hearing.

The requirements for notification specify that this notice be mailed to all owners of property within 250' of the boundary of the plat and all parcels along or across from a block face that abuts any street or private roadway extending 500 feet from the plat as measured along the centerline of any street or private roadway that abuts the boundary of the plat.

A sign has been posted on site indicating the public hearing date, location and time. There are no variances being requested with this item. It appears that this replat conforms with all Chapter 42 requirements. You may speak regarding this replat at the public hearing on:

Thursday, January 23, 2020 at 2:30 PM
City Hall Annex Building, 900 Bagby Street
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For additional information contact Planning Department personnel at **(832) 393-6600**.

Be advised that state law requires the Houston Planning Commission to approve each subdivision plat and replat that complies with the provisions of Chapter 42 and any other applicable laws and requirements.

THE PLAT MAY BE DEFERRED. THE NEW DATE FOR COMMISSION ACTION WILL BE INDICATED ON THE POSTED SIGN(S) THE TUESDAY MORNING FOLLOWING THE PLANNING COMMISSION DEFERRAL.

Para más información acerca de este documento, favor de llamar al Departamento de Planificación y Desarrollo al 832-393-6659. *See reverse side for useful information*

Council Members: Brenda Stardig Jerry Davis Ellen R. Cohen Dwight A. Boykins Dave Martin Steve Le Greg Travis Karla Cisneros
Robert Gallegos Mike Laster Martha Castex-Tatum Mike Knox David W. Robinson Michael Kubosh Amanda Edwards Jack Christie
Controller: Chris B. Brown

Terminology

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- **Extraterritorial jurisdiction (ETJ).** Represents the area extending beyond Houston's corporate limits approximately five miles into the unincorporated areas of Harris, Fort Bend, Liberty, Montgomery, and Waller counties.
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Planning Department Staff Authority and Obligation

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- For a development within Houston's incorporated city limits a site plan locating structure(s), parking, and landscaping is reviewed when a building permit is filed. This plan receives an administrative approval if it complies with other development rules and regulations. Should the site plan not comply, or the applicant wishes to deviate from these standards, a development plat variance may be presented to the Planning Commission.

Houston Planning Commission ITEM: 81

ITEM: 81

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Newport Country Club Estates Sec 1 partial replat no 1

Applicant: Windrose Land Services



C – Public Hearings

Site Location

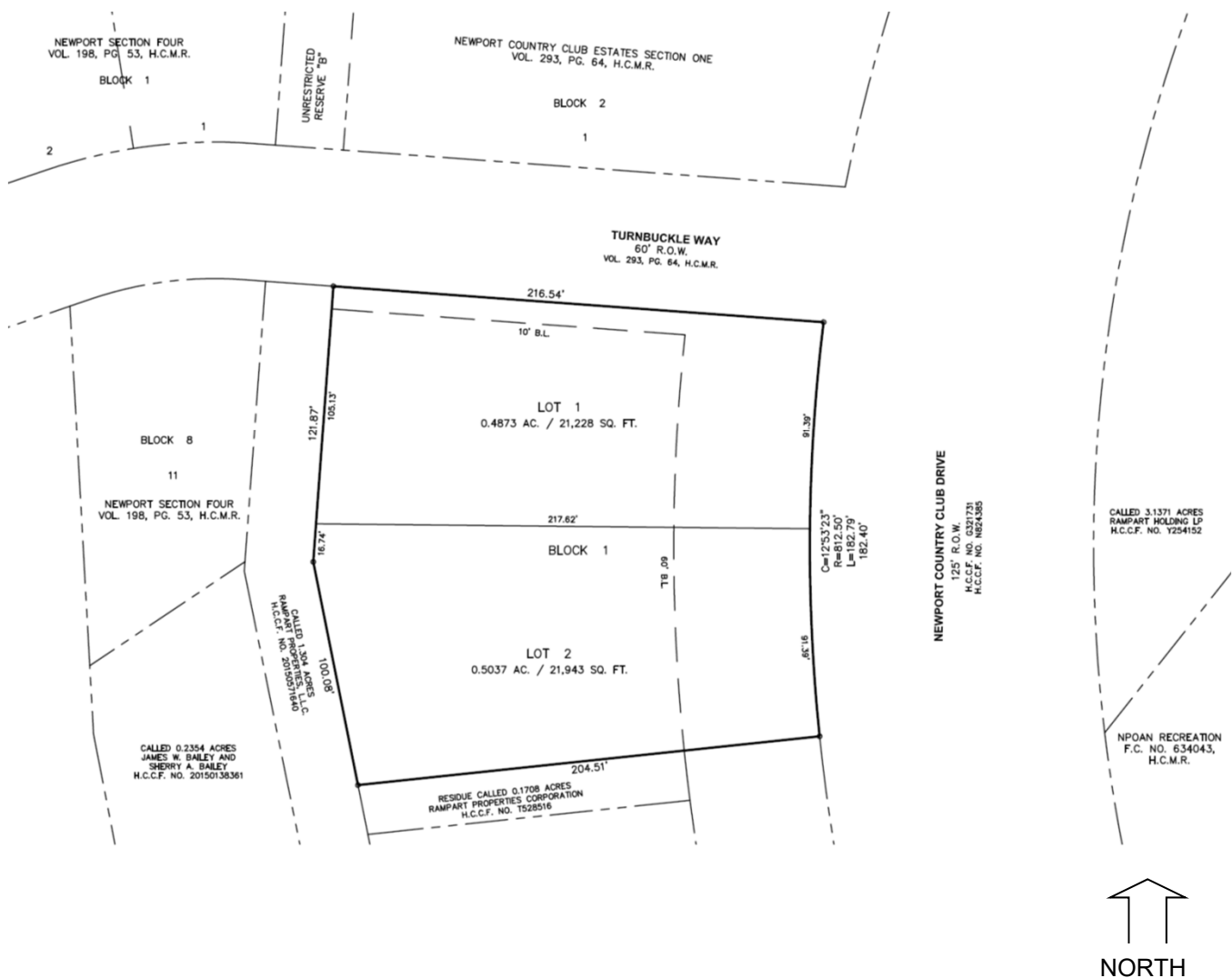
Planning and Development Department

ITEM: 81

Meeting Date: 01/23/2020

Subdivision Name: Newport Country Club Estates Sec 1 partial replat no 1

Applicant: Windrose Land Services



C – Public Hearings

Subdivision

Houston Planning Commission

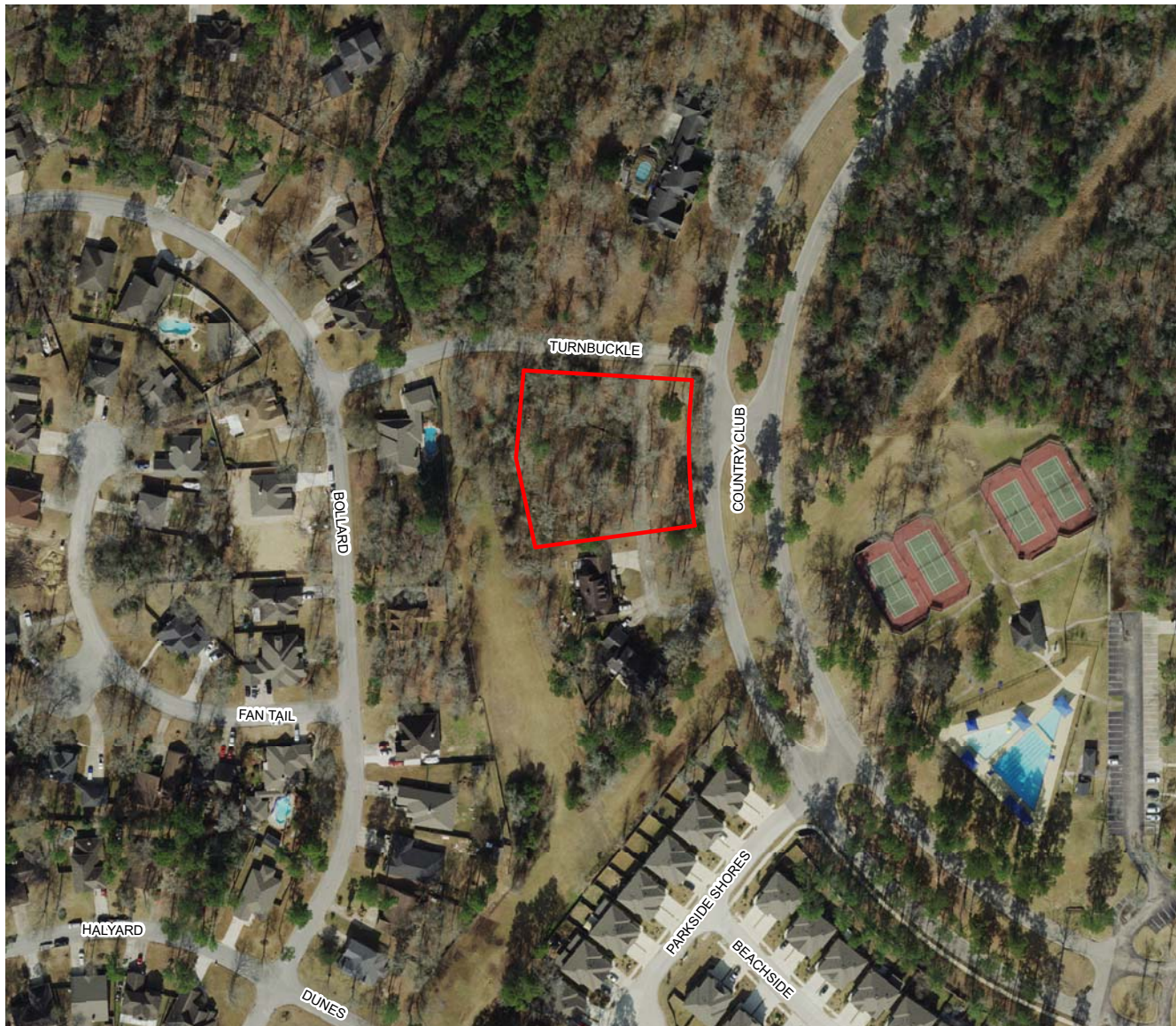
ITEM: 81

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Newport Country Club Estates Sec 1 partial replat no 1

Applicant: Windrose Land Services



C – Public Hearings

Aerial



CITY OF HOUSTON
Planning and Development

Sylvester Turner
Mayor

Public Hearing Notice



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T. 832.393.6600
F. 832.393.6661
www.houstontx.gov

December 26, 2019

Dear Property Owner:

Reference Number: 2019-2166

The Houston Planning and Development Department has received a subdivision plat application to allow the partial replatting of **"Newport Country Club Estates Section 1"**. This proposal includes the replatting of a portion of part of Reserve A, Block 1, as recorded at Film Code No. Volume 293, Page 64 of the Harris County Map Records. The new subdivision name is **"Newport Country Club Estates Sec 1 partial replat no 1"**.

The property is located at southwest intersection of Turnbuckle Way and Newport Country Club Drive. The purpose of the partial replat is to create two single family lots. The applicant, Marina Damian, with Windrose, on behalf of WINDROSE LAND SERVICES, can be contacted at 713-458-2281 Ext .

Pursuant to Local Government Code 212.015 and the City of Houston's Code of Ordinances, Chapter 42, the Planning Commission has established a public hearing date for this item. As required, the Planning Department is sending you written notice of the public hearing.

The requirements for notification specify that this notice be mailed to all owners of property within 250' of the boundary of the plat and all parcels along or across from a block face that abuts any street or private roadway extending 500 feet from the plat as measured along the centerline of any street or private roadway that abuts the boundary of the plat.

A sign has been posted on site indicating the public hearing date, location and time. There are no variances being requested with this item. It appears that this replat conforms with all Chapter 42 requirements. You may speak regarding this replat at the public hearing on:

Thursday, January 23, 2020 at 2:30 PM
City Hall Annex Building, 900 Bagby Street
City Council Chamber, Public Level Houston, Texas

For additional information contact Planning Department personnel at **(832) 393-6600**.

Be advised that state law requires the Houston Planning Commission to approve each subdivision plat and replat that complies with the provisions of Chapter 42 and any other applicable laws and requirements.

THE PLAT MAY BE DEFERRED. THE NEW DATE FOR COMMISSION ACTION WILL BE INDICATED ON THE POSTED SIGN(S) THE TUESDAY MORNING FOLLOWING THE PLANNING COMMISSION DEFERRAL.

Para más información acerca de este documento, favor de llamar al Departamento de Planificación y Desarrollo al 832-393-6659.

See reverse side for useful information

Terminology

- **Subdivision plat.** A graphical presentation of a particular surveyed tract of land laying out street rights-of-way, lots and reserves, building setback lines, and easements which must comply with the development requirements of the City of Houston's, Code of Ordinances, Chapter 42. These regulations, adopted by City Council, are intended to promote the safe, orderly and healthy development of the City and its extraterritorial jurisdiction. The approved map subsequently may be filed and recorded with the appropriate county clerk's office as the official map of record for this property.
- **Subdivision replat.** Is simply a subdivision plat that further subdivides an existing subdivision plat. Typically, a replat will make changes to the layout of lots, reserves, building setback lines and easements.
- **Deed restrictions.** Are private covenants between property owners that are recorded with the appropriate county clerk's office that bind all or some property owners in a neighborhood or subdivision to follow a specific set of guidelines. Typically, deed restrictions are designed to limit activities, building layout and design, and / or land uses. A replat does not amend or remove any deed restrictions.
- **Extraterritorial jurisdiction (ETJ).** Represents the area extending beyond Houston's corporate limits approximately five miles into the unincorporated areas of Harris, Fort Bend, Liberty, Montgomery, and Waller counties.
- **Chapter 42.** The City of Houston's, Code of Ordinances that describes the rules and regulations for subdividing property within the corporate limits and the extraterritorial jurisdiction.
- **Local Government Code 212.015.** The state law section that describes the purpose and requirements of property owner notification when preparing certain replats.
- **Variance.** A deviation from strict compliance with the rules and regulations of Chapter 42. The applicant must document a reasonable hardship that staff can evaluate.

Planning Commission Body, Authority and Obligation

- The Houston Planning Commission is a non-legislative body authorized to govern the subdivision rules and regulations described in Chapter 42. The Commission consists of 20 members and meets every two weeks per their adopted Commission meeting schedule.
- Should a replat meet the subdivision rules and regulations of Chapter 42 and not include a variance request the Planning Commission is obligated to approve the replat. These subdivision rules and regulations do not include the site's land use, structure(s), parking, lighting, drainage, etc.

Planning Department Staff Authority and Obligation

- Development Services Division reviews subdivision plats and replats for compliance with the rules and regulations described in Chapter 42 and in Local Government Code 212.015 and prepares recommendations for Planning Commission consideration.
- Should a plat or replat meet the above rules and regulations of Chapter 42 the staff is obligated to recommend approval subject to minor corrections and further coordination with other agencies that have required more detailed information.
- For a development within Houston's incorporated city limits a site plan locating structure(s), parking, and landscaping is reviewed when a building permit is filed. This plan receives an administrative approval if it complies with other development rules and regulations. Should the site plan not comply, or the applicant wishes to deviate from these standards, a development plat variance may be presented to the Planning Commission.

Houston Planning Commission

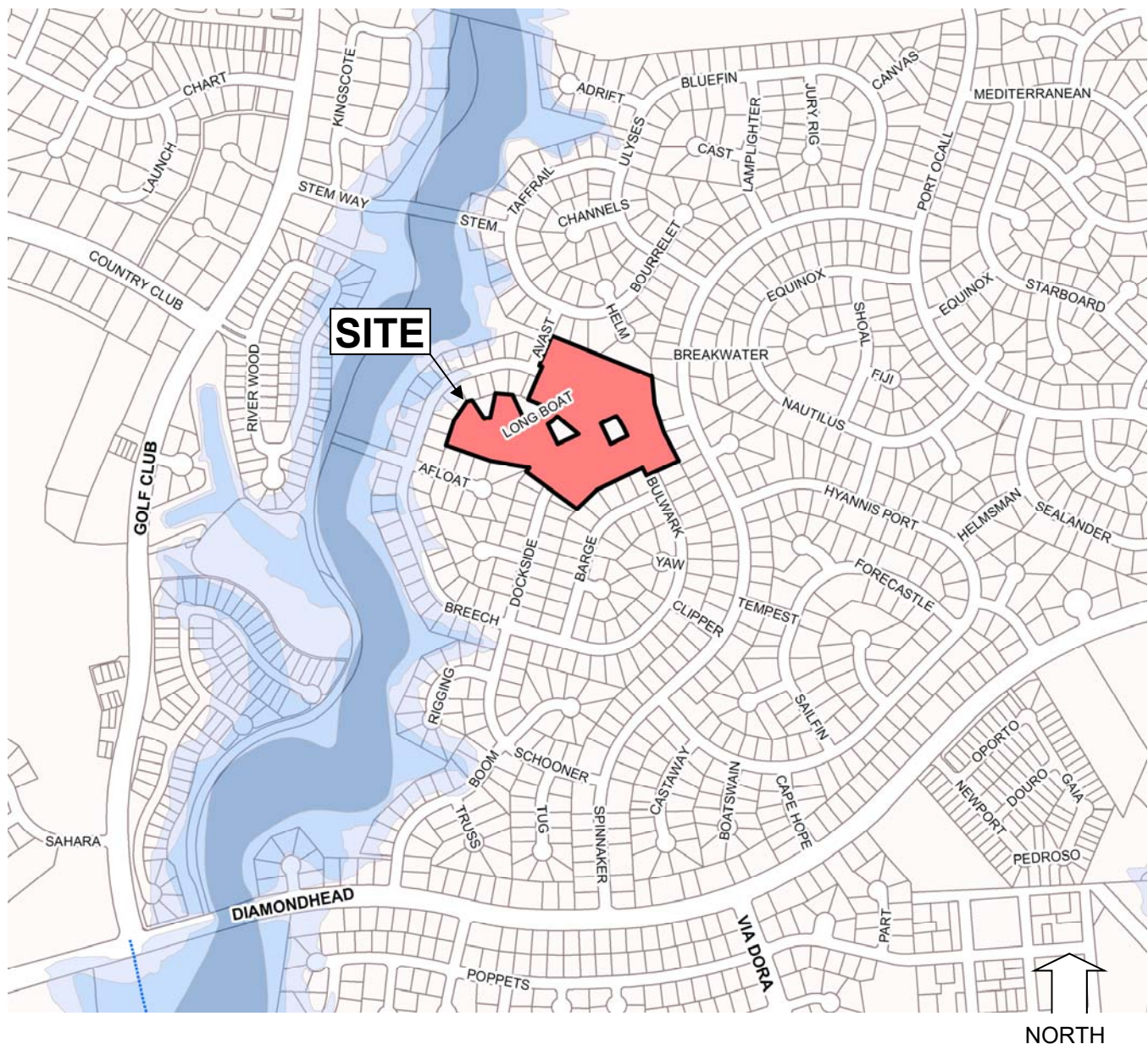
ITEM: 82

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Newport Sec 7 partial replat no 5

Applicant: LJA Engineering, Inc.- (West Houston Office)



C – Public Hearings

Site Location

Houston Planning Commission

ITEM: 82

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Newport Sec 7 partial replat no 5

Applicant: LJA Engineering, Inc.- (West Houston Office)



RESTRICTED RESERVE

NUMBER	USE	ACRES
A	PIPELINE EASEMENT	±0.56 ACRE
B	DRAINAGE	±0.40 ACRE



C – Public Hearings

Subdivision

Houston Planning Commission ITEM: 82

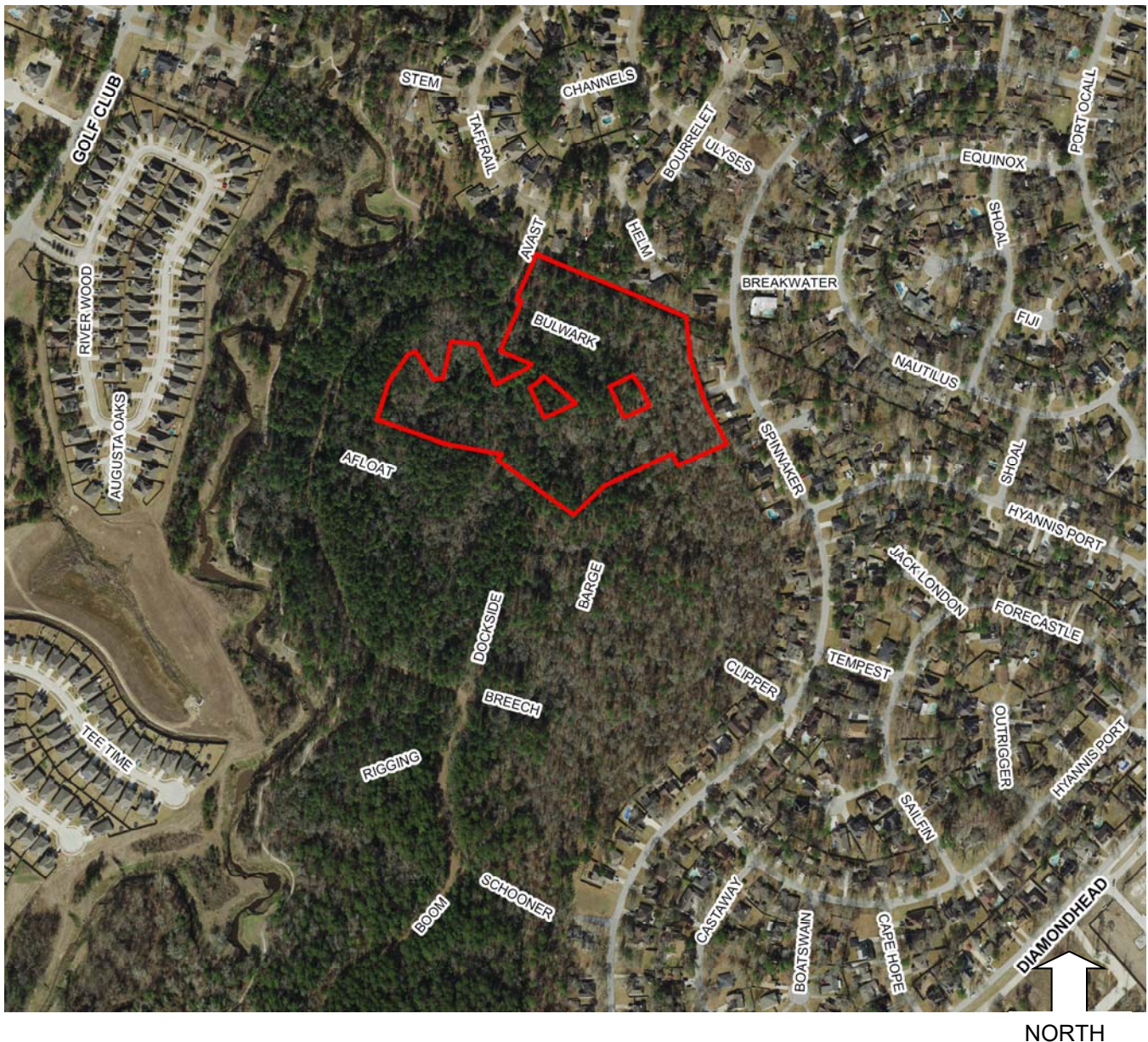
ITEM: 82

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Newport Sec 7 partial replat no 5

Applicant: LJA Engineering, Inc.- (West Houston Office)



NORTH

C – Public Hearings

Aerial



CITY OF HOUSTON
Planning and Development

Sylvester Turner
Mayor

Public Hearing Notice



Margaret Wallace Brown
Director
P.O. Box 1562
Houston, Texas 77251-1562

T. 832.393.6600
F. 832.393.6661
www.houstontx.gov

December 26, 2019

Dear Property Owner:

Reference Number: 2019-2267

The Houston Planning and Development Department has received a subdivision plat application to allow the partial replatting of **"Newport Section 7"**. This proposal includes the replatting of a portion of being all of lots 13-21 in block 6, all of lots 1-3, 5-12, 14-15, 17, a part of 18, a part of 61, and 62-66 in block 7; all of lots 1-6 in block 8, all as recorded at Film Code No. Volume 206 page 134-136, HCMR of the Harris County Map Records. The new subdivision name is **"Newport Sec 7 partial replat no 5"**.

The property is located at east of Golf Club Drive, along Bulwark Drive, Long Boat Court, Dockside Street west of Spinnaker Drive.

The purpose of the partial replat is to create 52 lots and 2 reserves.

The applicant, Katy Goodrich, with LJA Engineering, Inc.- (West Houston Office), on behalf of Friendswood Development Company, can be contacted at 713-358-8536 Ext .

Pursuant to Local Government Code 212.015 and the City of Houston's Code of Ordinances, Chapter 42, the Planning Commission has established a public hearing date for this item. As required, the Planning Department is sending you written notice of the public hearing.

The requirements for notification specify that this notice be mailed to all owners of property within 250' of the boundary of the plat and all parcels along or across from a block face that abuts any street or private roadway extending 500 feet from the plat as measured along the centerline of any street or private roadway that abuts the boundary of the plat.

A sign has been posted on site indicating the public hearing date, location and time. There are no variances being requested with this item. It appears that this replat conforms with all Chapter 42 requirements. You may speak regarding this replat at the public hearing on:

Thursday, January 23, 2020 at 2:30 PM
City Hall Annex Building, 900 Bagby Street
City Council Chamber, Public Level Houston, Texas

For additional information contact Planning Department personnel at **(832) 393-6600**.

Be advised that state law requires the Houston Planning Commission to approve each subdivision plat and replat that complies with the provisions of Chapter 42 and any other applicable laws and requirements.

THE PLAT MAY BE DEFERRED. THE NEW DATE FOR COMMISSION ACTION WILL BE INDICATED ON THE POSTED SIGN(S) THE TUESDAY MORNING FOLLOWING THE PLANNING COMMISSION DEFERRAL.

Para más información acerca de este documento, favor de llamar al Departamento de Planificación y Desarrollo al 832-393-6659.

See reverse side for useful information

Terminology

- **Subdivision plat.** A graphical presentation of a particular surveyed tract of land laying out street rights-of-way, lots and reserves, building setback lines, and easements which must comply with the development requirements of the City of Houston's, Code of Ordinances, Chapter 42. These regulations, adopted by City Council, are intended to promote the safe, orderly and healthy development of the City and its extraterritorial jurisdiction. The approved map subsequently may be filed and recorded with the appropriate county clerk's office as the official map of record for this property.
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- **Extraterritorial jurisdiction (ETJ).** Represents the area extending beyond Houston's corporate limits approximately five miles into the unincorporated areas of Harris, Fort Bend, Liberty, Montgomery, and Waller counties.
- **Chapter 42.** The City of Houston's, Code of Ordinances that describes the rules and regulations for subdividing property within the corporate limits and the extraterritorial jurisdiction.
- **Local Government Code 212.015.** The state law section that describes the purpose and requirements of property owner notification when preparing certain replats.
- **Variance.** A deviation from strict compliance with the rules and regulations of Chapter 42. The applicant must document a reasonable hardship that staff can evaluate.

Planning Commission Body, Authority and Obligation

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- Should a replat meet the subdivision rules and regulations of Chapter 42 and not include a variance request the Planning Commission is obligated to approve the replat. These subdivision rules and regulations do not include the site's land use, structure(s), parking, lighting, drainage, etc.

Planning Department Staff Authority and Obligation

- Development Services Division reviews subdivision plats and replats for compliance with the rules and regulations described in Chapter 42 and in Local Government Code 212.015 and prepares recommendations for Planning Commission consideration.
- Should a plat or replat meet the above rules and regulations of Chapter 42 the staff is obligated to recommend approval subject to minor corrections and further coordination with other agencies that have required more detailed information.
- For a development within Houston's incorporated city limits a site plan locating structure(s), parking, and landscaping is reviewed when a building permit is filed. This plan receives an administrative approval if it complies with other development rules and regulations. Should the site plan not comply, or the applicant wishes to deviate from these standards, a development plat variance may be presented to the Planning Commission.

Houston Planning Commission

ITEM: 83

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Old River Terrace Sec 2 partial replat no 2 and extension

Applicant: MOMENTUM ENGINEERING



C – Public Hearings

Site Location

ITEM: 83

Meeting Date: 01/23/2020

Applicant: MOMENTUM ENGINEERING



Subdivision

Houston Planning Commission

ITEM: 83

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Old River Terrace Sec 2 partial replat no 2 and extension

Applicant: MOMENTUM ENGINEERING



C – Public Hearings

Aerial



CITY OF HOUSTON
Planning and Development

Sylvester Turner
Mayor

Public Hearing Notice



Margaret Wallace Brown
Director
P.O. Box 1562
Houston, Texas 77251-1562

T. 832.393.6600
F. 832.393.6661
www.houstontx.gov

December 26, 2019

Dear Property Owner:

Reference Number: 2019-2200

The Houston Planning and Development Department has received a subdivision plat application to allow the partial replatting of **"Old River Terrace Second Section and Holiday Inn Channel View Subdivision"**. This proposal includes the replatting of a portion of Lot 15, Block 2, as recorded at Film Code No. Vol 14, pg 21 and a portion of reserve A, in Block 1, of Holiday Inn Channelview subdivision of the Harris County Map Records. The new subdivision name is "Old River Terrace Sec 2 partial replat no 2 and extension".

The property is located at West of Cedar Lane, south along Avenue D and north along I-10.
The purpose of the partial replat is to create three unrestricted reserves and one detention reserve.
The applicant, Shahnawaz Ghanchi, with Momentum Engineering, on behalf of Ashland Hospitality Inc, can be contacted at 281-741-1998 Ext 109.

Pursuant to Local Government Code 212.015 and the City of Houston's Code of Ordinances, Chapter 42, the Planning Commission has established a public hearing date for this item. As required, the Planning Department is sending you written notice of the public hearing.

The requirements for notification specify that this notice be mailed to all owners of property within 250' of the boundary of the plat and all parcels along or across from a block face that abuts any street or private roadway extending 500 feet from the plat as measured along the centerline of any street or private roadway that abuts the boundary of the plat.

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Thursday, January 23, 2020 at 2:30 PM
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For additional information contact Planning Department personnel at **(832) 393-6600**.

Be advised that state law requires the Houston Planning Commission to approve each subdivision plat and replat that complies with the provisions of Chapter 42 and any other applicable laws and requirements.

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Para más información acerca de este documento, favor de llamar al Departamento de Planificación y Desarrollo al 832-393-6659.

See reverse side for useful information

Terminology

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- **Variance.** A deviation from strict compliance with the rules and regulations of Chapter 42. The applicant must document a reasonable hardship that staff can evaluate.

Planning Commission Body, Authority and Obligation

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Planning Department Staff Authority and Obligation

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- Should a plat or replat meet the above rules and regulations of Chapter 42 the staff is obligated to recommend approval subject to minor corrections and further coordination with other agencies that have required more detailed information.
- For a development within Houston's incorporated city limits a site plan locating structure(s), parking, and landscaping is reviewed when a building permit is filed. This plan receives an administrative approval if it complies with other development rules and regulations. Should the site plan not comply, or the applicant wishes to deviate from these standards, a development plat variance may be presented to the Planning Commission.

Houston Planning Commission

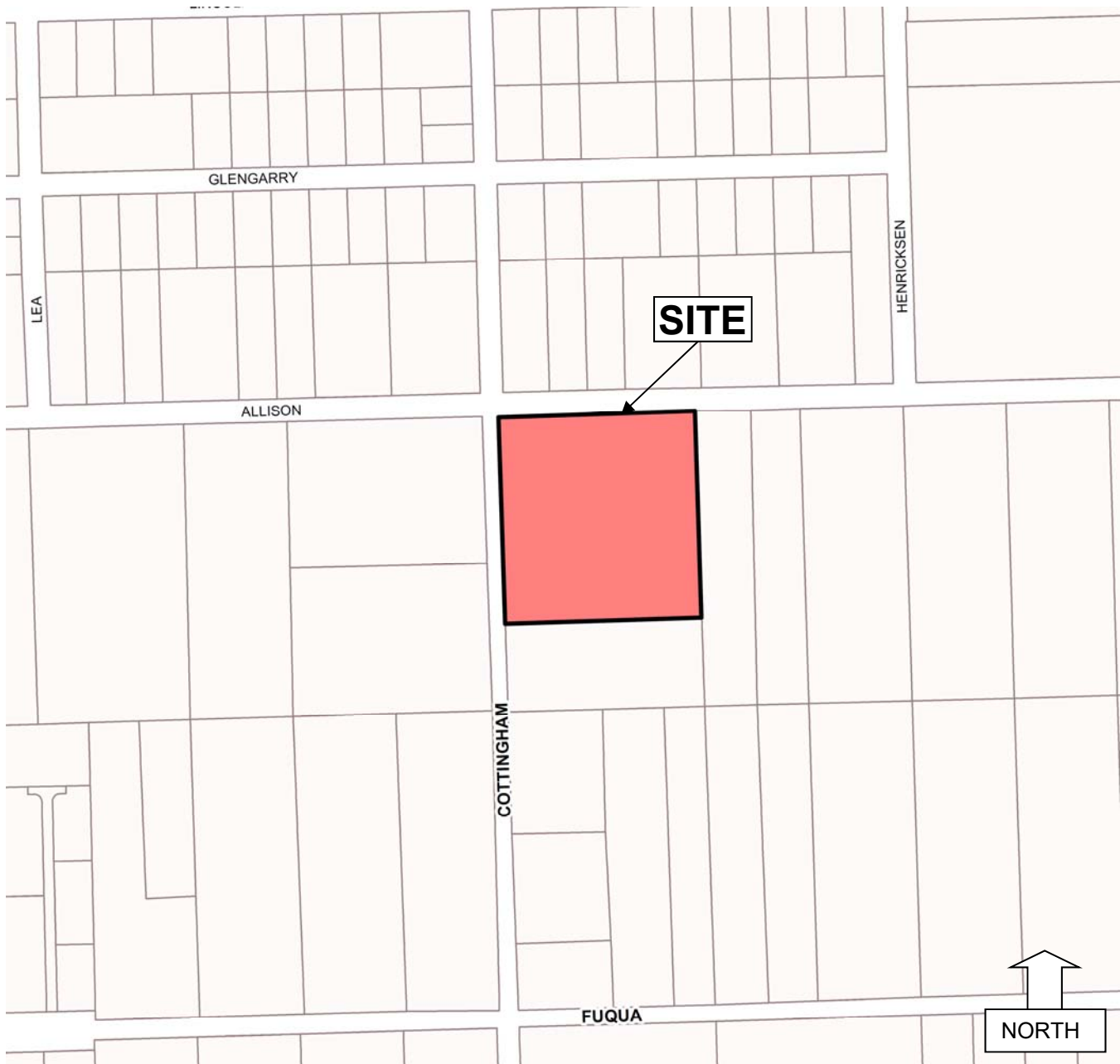
ITEM: 84

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Allison Circle

Applicant: Vernon G. Henry & Associates, Inc.



D – Variances

Site Location

Houston Planning Commission

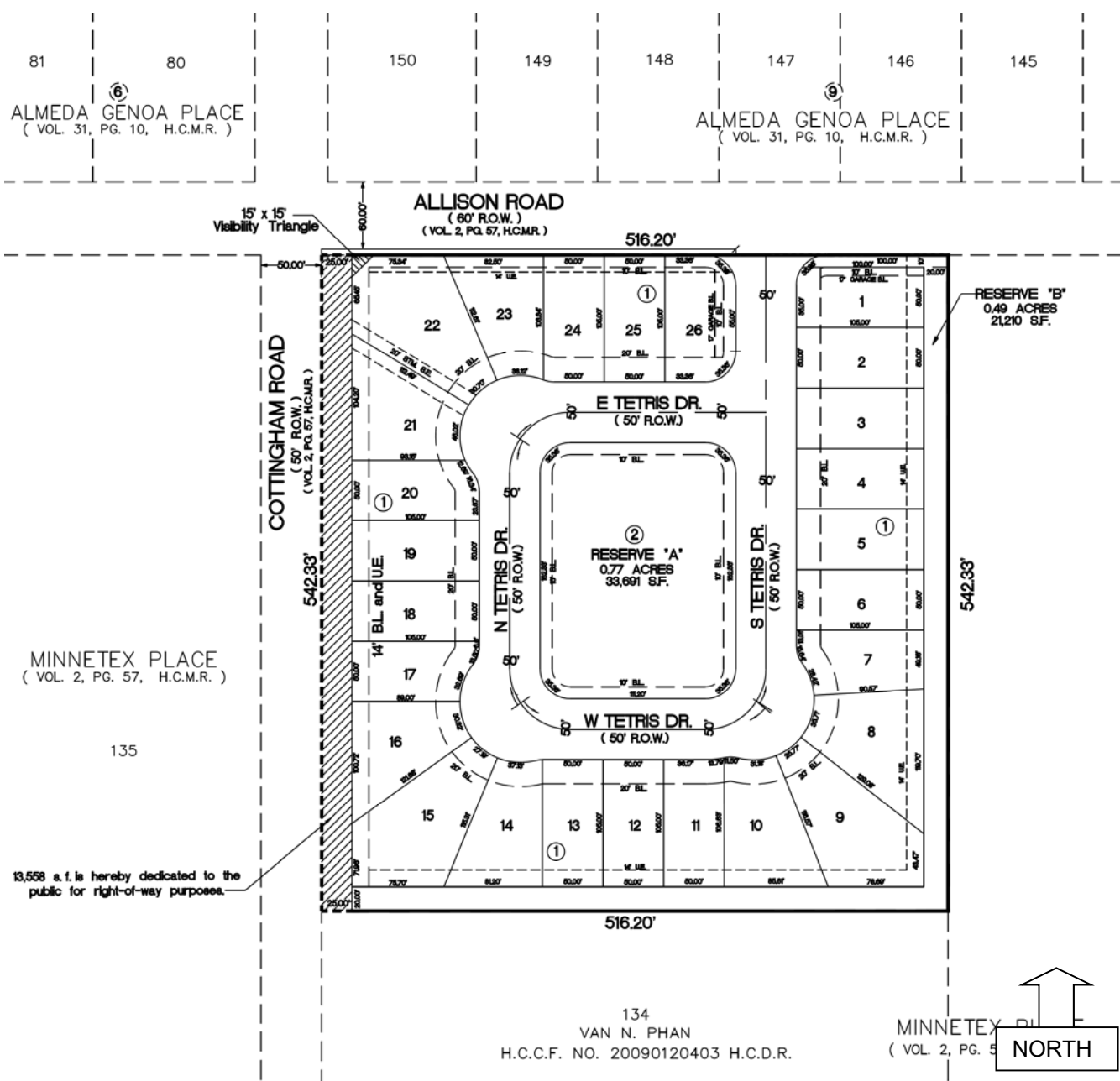
ITEM: 84

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Allison Circle

Applicant: Vernon G. Henry & Associates, Inc.



D – Variances

Subdivision

Houston Planning Commission

ITEM: 84

Planning and Development Department

Meeting Date: 01/23/2020

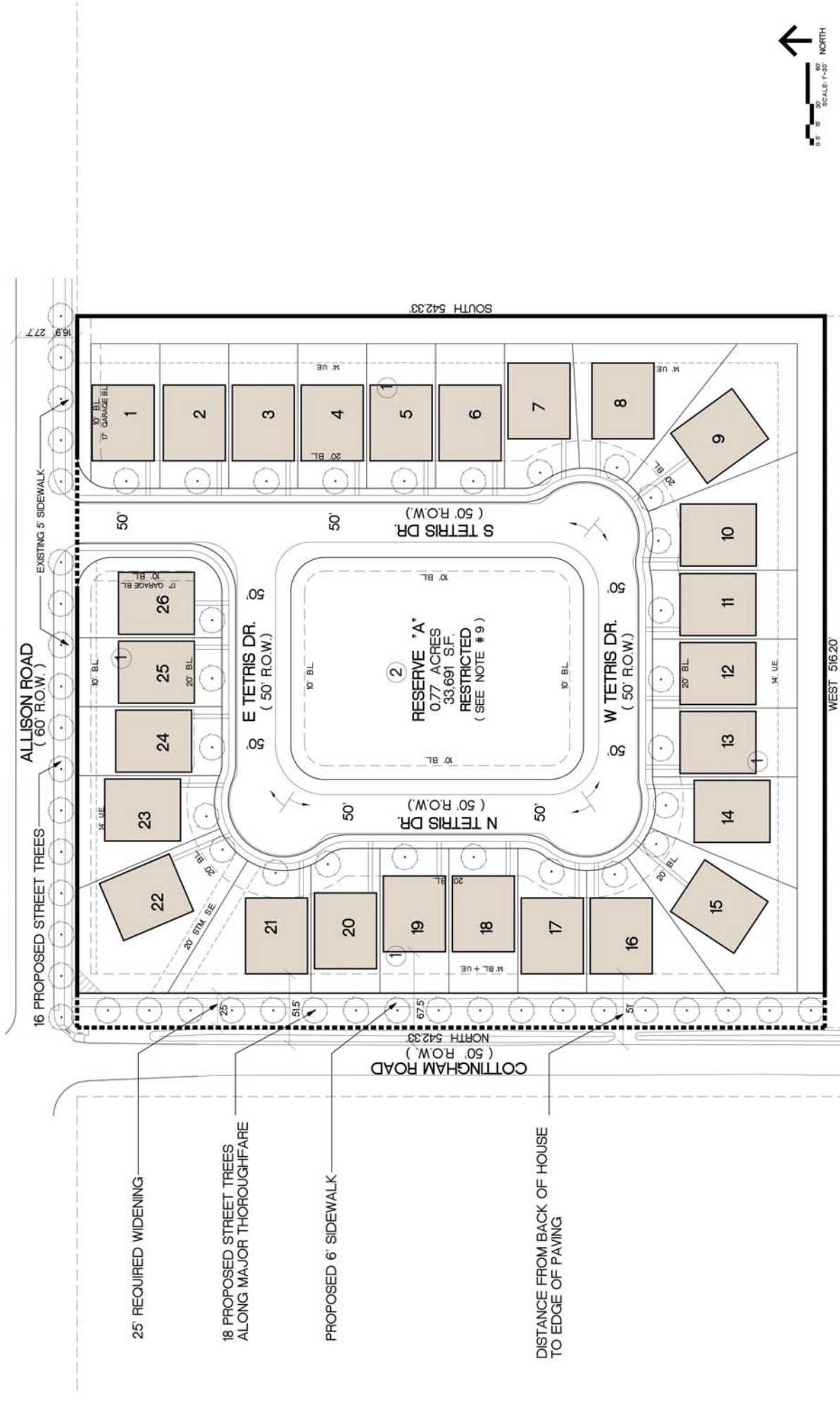
Subdivision Name: Allison Circle

Applicant: Vernon G. Henry & Associates, Inc.

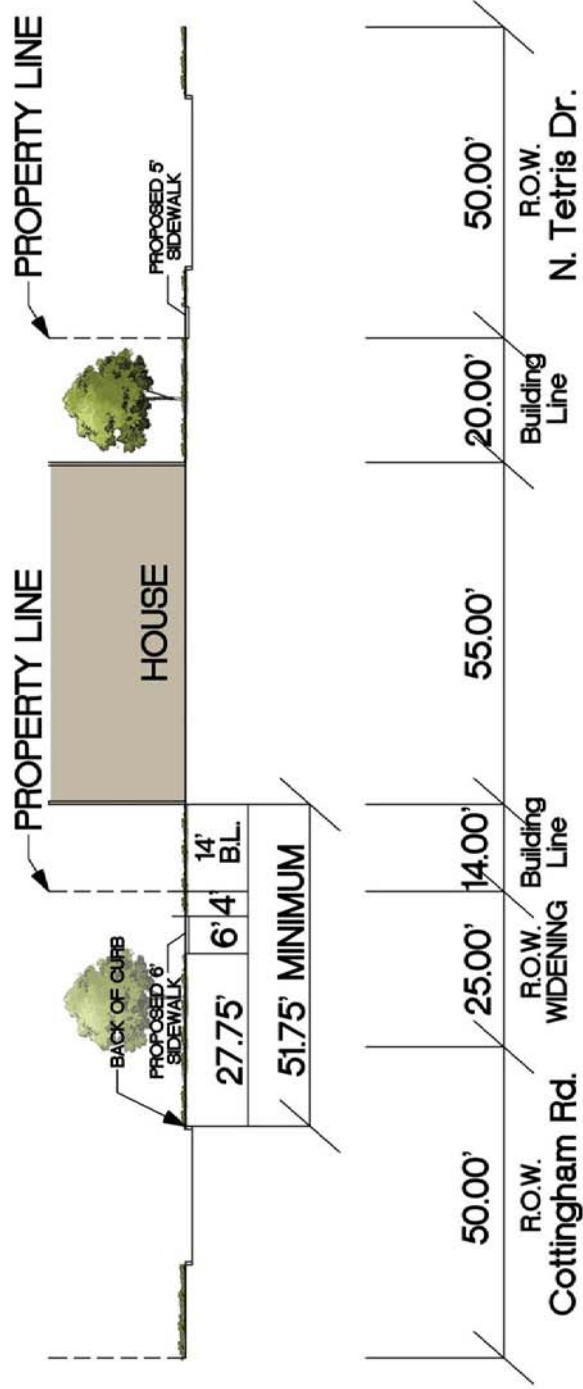


D – Variances

Aerial



SITE PLAN - ALLISON CIRCLE



ALLISON CIRCLE CROSS SECTION



Application Number: 2020-0017

Plat Name: Allison Circle

Applicant: Vernon G. Henry & Associates, Inc.

Date Submitted: 01/10/2020

The applicant bears the burden of providing factual, material, and compelling evidence to support a variance request in the Statement of Facts ("SOF") below. The applicant must write a response to each of the statements as part of their application. Failure to do so will result in the application being deemed incomplete and not placed before the Planning Commission. The applicant may attach additional supporting documents to the application. P&D will not correct, revise, or edit the applicant's information. P&D will formulate its recommendation by evaluating the SOF's information, the additional information provided and any relevant information available to the Department.

(Sec. 42-47 and Sec. 42-81)

Specific Variance is being sought and extent of variance:

To allow a reduced 14' building line on Cottingham

Chapter 42 Section: 152

Chapter 42 Reference:

Sec. 42-152. - Building line requirement along major thoroughfares. (a) The portion of a lot or tract that is adjacent to a major thoroughfare shall have a building line requirement of 25 feet unless otherwise authorized by this chapter.

Statement of Facts

(1a) The imposition of the terms, rules, conditions, policies and standards of this chapter would create an undue hardship by depriving the applicant of the reasonable use of the land; OR

This is a vacant site in south Houston at the southeast corner of Cottingham Road and Allison Road. Cottingham Road is an extension of Martin Luther King Boulevard to the north and is classified as a major thoroughfare. It has been on the Major Thoroughfare and Freeway Plan (MTFP) since 1955. In 1992, it was designated as "to be widened" on the MTFP all the way to the Harris County line to the south. The current right of way width of Cottingham is 50', but is required to be 100' wide. Therefore, the developer is required to dedicate half of the deficiency, which is 25'. Since such a large dedication is required along Cottingham, the developer is proposing a 14' building line for 4 of the lots that back on Cottingham Road, while the rest of the lots will abide by the 25' setback. The distance from the edge of paving to the rear of the homes on Cottingham ranges from approximately 51.5' – 67.5'. Because of this very large setback from the edge of paving to the building facades, the ordinance-required 25' setback is not practically needed.

(1b) Strict application would make this project infeasible due to the existence of unusual physical characteristics that affect the property in question, or would create an impractical development or one otherwise contrary to sound public policy;

N/A

(2) The circumstances supporting the granting of the variance are not the result of a hardship created or imposed by the applicant;

The request for a reduced building line is based on the fact that the owner has to dedicate 25' of right of way to the Cottingham Road, which is a very large. The 25' dedication accounts for over 25% of the lot area for the lots backing onto Cottingham.

(3) The intent and general purposes of this chapter will be preserved and maintained;

The intent of building setback lines is to preserve light, air, and open space, which this request maintains.

(4) The granting of the variance will not be injurious to the public health, safety or welfare;

An adequate amount of light, air, and open space will be preserved.

(5) Economic hardship is not the sole justification of the variance.

The justification for the variance is the substantial dedication required to comply with the MTFP. There is ample room between the edge of paving and the building facades. It is unusual for such a large amount of dedication to be required for a road that has been on the MTFP for such a long period of time. It creates a hardship for anyone trying to develop lots adjacent to it.



CITY OF HOUSTON

Planning and Development

Sylvester Turner

Mayor

Margaret Wallace Brown
Director
P.O. Box 1562
Houston, Texas 77251-1562

T. 832.393.6600
F. 832.393.6662
www.houstontx.gov

January 16, 2020

NOTICE OF VARIANCE REQUEST

PROJECT NAME: Allison Circle

REFERENCE NUMBER: 2020-0017

VAR

Dear Property Owner:

The Planning and Development Department has received a subdivision plat application with a variance request for a property located at the southeast intersection of Allison Road and Cottingham Street. You are receiving this letter because you are listed in the Harris County Appraisal District records as a neighboring owner for property that falls within the Chapter 42 required notification area adjacent to this variance request.

Vernon G. Henry & Associates, Inc., the applicant, has filed the request on behalf of the developer of the subject site. The applicant is requesting a variance to allow a reduced 14' building line along Cottingham Street, a major thoroughfare, instead of the required 25' building line. Enclosed are copies of the variance request, the proposed subdivision plat, and the site plan submitted by the applicant.

The Planning and Development Department staff is currently reviewing this application and will present a recommendation to the Houston Planning Commission. The Commission is the non-legislative body authorized to review and render decisions on subdivision applications and requests. The meeting at which this item will first be considered is listed below. A sign with this information has also been posted on the project site.

PLANNING COMMISSION MEETING INFORMATION:

Thursday, January 23rd, 2020, beginning at 2:30 p.m.

City Hall Annex Building, 900 Bagby Street

City Council Chamber, Public Level, Houston, Texas

Members of the public may attend the meeting to make comments or express concerns about the proposed project. For additional information regarding this project, please call Jake Patrick with Vernon G. Henry & Associates, Inc. at 713-627-8666. You may also contact Aracely Rodriguez with the Planning and Development Department regarding this notice via email at planning.variances@houstontx.gov or call (832)393-6600. To view the complete Planning Commission meeting agenda, go to www.houstonplanning.com. Information on the reverse side of this page explains more about the terminology used in this letter.

Para más información acerca de este documento, favor de llamar al Departamento de Planificación y Desarrollo al 832-393-6659.

TERMINOLOGY

- **CHAPTER 42:** The City of Houston's, Code of Ordinances that describes the rules and regulations for subdividing property within the corporate limits and the extraterritorial jurisdiction.
- **EXTRATERRITORIAL JURISDICTION (ETJ):** Represents the area extending beyond Houston's corporate limits approximately five miles into the unincorporated areas of Harris, Fort Bend, Liberty, Montgomery, and Waller counties.
- **SUBDIVISION PLAT:** A graphical presentation of a particular surveyed tract of land laying out street rights-of-way, lots and reserves, building setback lines, and easements which must comply with the development requirements of the City of Houston's, Code of Ordinances, Chapter 42. These regulations, adopted by City Council, are intended to promote the safe, orderly and healthy development of the City and its extraterritorial jurisdiction. The approved map subsequently may be filed and recorded with the appropriate county clerk's office as the official map of record for this property.
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- **VARIANCE:** A deviation from strict compliance with the rules and regulations of Chapter 42. The applicant must document a reasonable hardship that staff can evaluate.
- **SPECIAL EXCEPTION:** A commission-approved adjustment to the certain standards of Chapter 42. The applicant must document existing special circumstances unique to the land that justify modification of the development standards.

PLANNING COMMISSION BODY, AUTHORITY AND OBLIGATION

- The Houston Planning Commission is a non-legislative body authorized to govern the subdivision rules and regulations described in Chapter 42. The Commission consists of 25 members and meets every two weeks per their adopted Commission meeting schedule.

PLANNING DEPARTMENT STAFF, AUTHORITY AND OBLIGATION

- Development Services Division reviews subdivision plats, replats and development plats for compliance with the rules and regulations described in Chapter 42. Development plats must also comply with Chapter 26 (Off-street Parking and Loading) and Chapter 33 (Trees, Shrubs and Screening Fences).

CITY OF HOUSTON SEC. 42-82 AND 42-83

- Notification to property owners within 250 feet of certain proposed development applications with a requested variance is required. The proposed development must be located within the city limits.

PROPERTY OWNERSHIP INFORMATION

- For notification purposes, property ownership information and property owner mailing addresses are obtained from the most recent property tax rolls of the county in which the property is located.
- Addressed envelopes and postage are provided by the applicant.

Houston Planning Commission

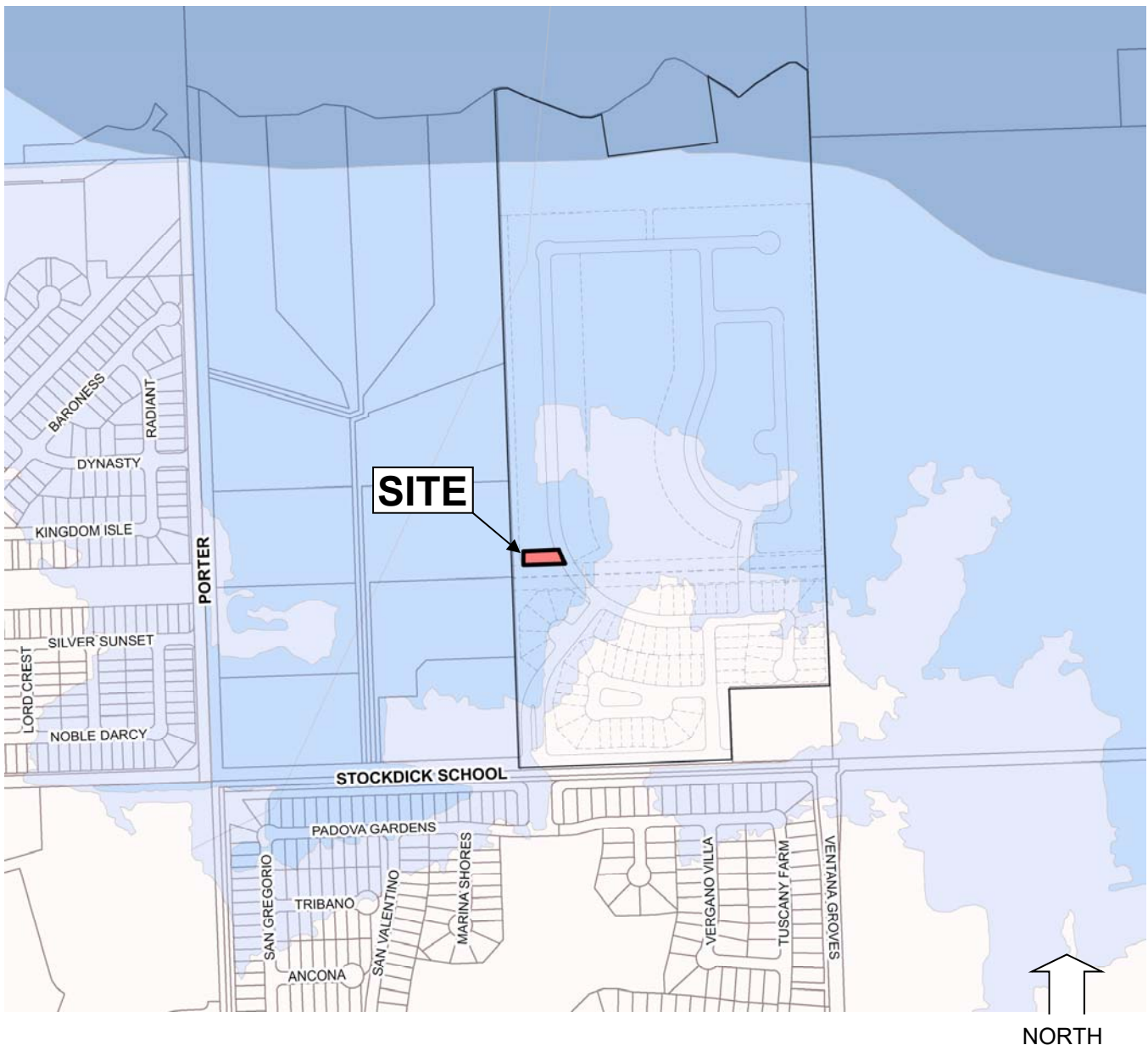
ITEM: 85

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Bergamo Vista Lift Station (DEF 1)

Applicant: LJA Engineering, Inc.- (West Houston Office)



D – Variances

Site Location

Houston Planning Commission

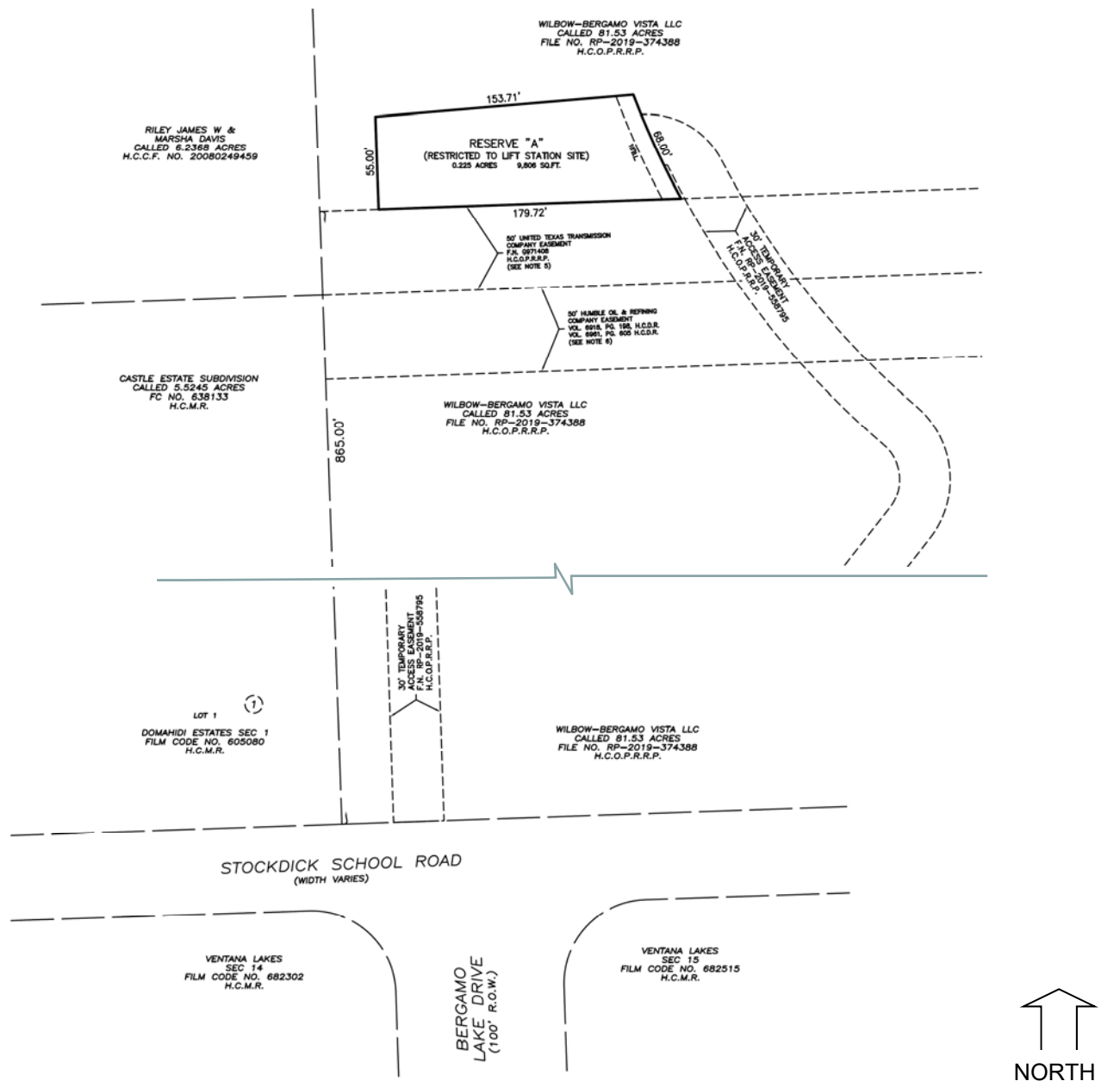
ITEM: 85

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Bergamo Vista Lift Station (DEF 1)

Applicant: LJA Engineering, Inc.- (West Houston Office)



D – Variances

Subdivision

Houston Planning Commission

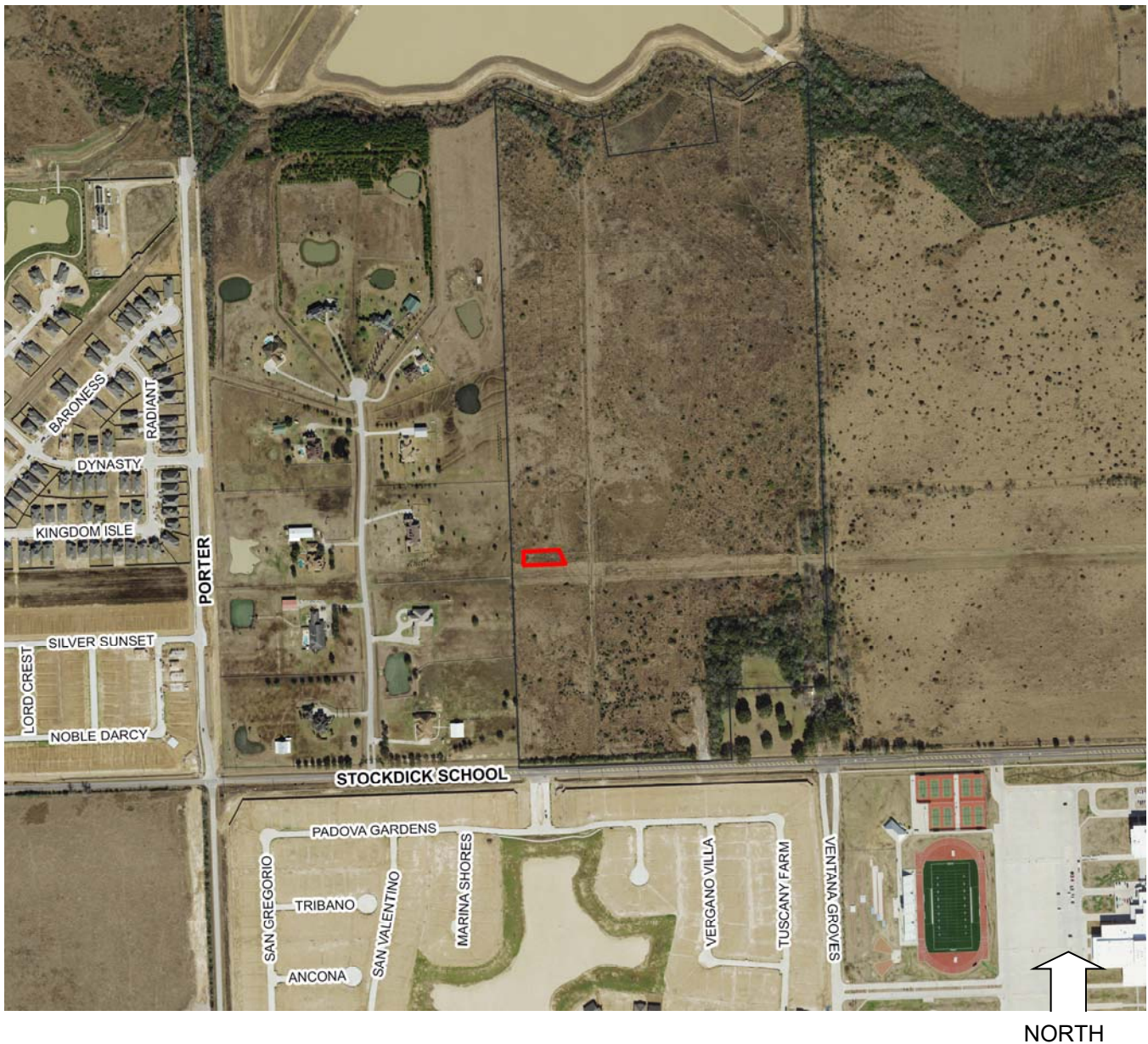
ITEM: 85

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Bergamo Vista Lift Station (DEF 1)

Applicant: LJA Engineering, Inc.- (West Houston Office)



D – Variances

Aerial



Application Number: 2019-2276

Plat Name: Bergamo Vista Lift Station

Applicant: LJA Engineering, Inc.- (West Houston Office)

Date Submitted: 12/20/2019

The applicant bears the burden of providing factual, material, and compelling evidence to support a variance request in the Statement of Facts ("SOF") below. The applicant must write a response to each of the statements as part of their application. Failure to do so will result in the application being deemed incomplete and not placed before the Planning Commission. The applicant may attach additional supporting documents to the application. P&D will not correct, revise, or edit the applicant's information. P&D will formulate its recommendation by evaluating the SOF's information, the additional information provided and any relevant information available to the Department.

(Sec. 42-47 and Sec. 42-81)

Specific Variance is being sought and extent of variance:

To allow a reserve restricted to Lift Station to take access via a 30-foot-wide access easement instead of 50' of frontage on a public street.

Chapter 42 Section: 42-190

Chapter 42 Reference:

(c) Each reserve shall meet the following requirements for minimum size, the type and width of street or shared driveway on which it may be located, and the minimum frontage, as applicable to the type of reserve: Restricted reserve-Lift station -- minimum 20 feet frontage on minimum 50 feet public street or Type 1 permanent access easement.

Statement of Facts

(1a) The imposition of the terms, rules, conditions, policies and standards of this chapter would create an undue hardship by depriving the applicant of the reasonable use of the land; OR

Bergamo Vista is a 80.6± acre subdivision located northwest of central Houston, immediately west of the Grand Parkway on Stockdick School Road. The community includes several internal streets that traverse the development. The site is bounded on the west and south sides by existing single-family development and on the north by Mayde Creek, with undeveloped property to the east that is expected to become regional detention. The proposed lift station has access with an access easement (30 ft wide) as recorded under File No. RP-2019-558795, Harris County Real Property Records.

(1b) Strict application would make this project infeasible due to the existence of unusual physical characteristics that affect the property in question, or would create an impractical development or one otherwise contrary to sound public policy;

(2) The circumstances supporting the granting of the variance are not the result of a hardship created or imposed by the applicant;

The applicant is creating a facility that will feasibly address future capacity needs and at the same time, it will not impede existing requirements. The location and access to the facility, has been established to best achieve the desired result and is not a hardship created or imposed by the applicant. The lift station is necessary to service the future single-family residential homes in the immediate area. Ultimately the lift station will have over 67' of frontage along a future 50' public right of way.

(3) The intent and general purposes of this chapter will be preserved and maintained;

The intent and general purpose of this chapter will be preserved and maintained since existing capacity will be maintained and future capacity will be addressed. The frequency of traffic to this lift station will be minimal and only for lift station related work. This will allow the applicant, and future development(s) in the area, to maintain reasonable use of the land. The access easement will accommodate the construction and maintenance traffic required for the lift station until such time as the public street is dedicated and constructed that will provide the ultimate access to the lift station site.

(4) The granting of the variance will not be injurious to the public health, safety or welfare;

The granting of the variance will address future lift station needs and will not be injurious to the public health, safety or welfare. The proposed lift station will be a benefit for the future development of the surrounding area.

(5) Economic hardship is not the sole justification of the variance.

This variance is requested due to the timing needed to construct the new lift station prior to other new development occurring adjacent to the plant which would otherwise have provided access to the site. Economic hardship is not the sole justification of the variance.

Houston Planning Commission

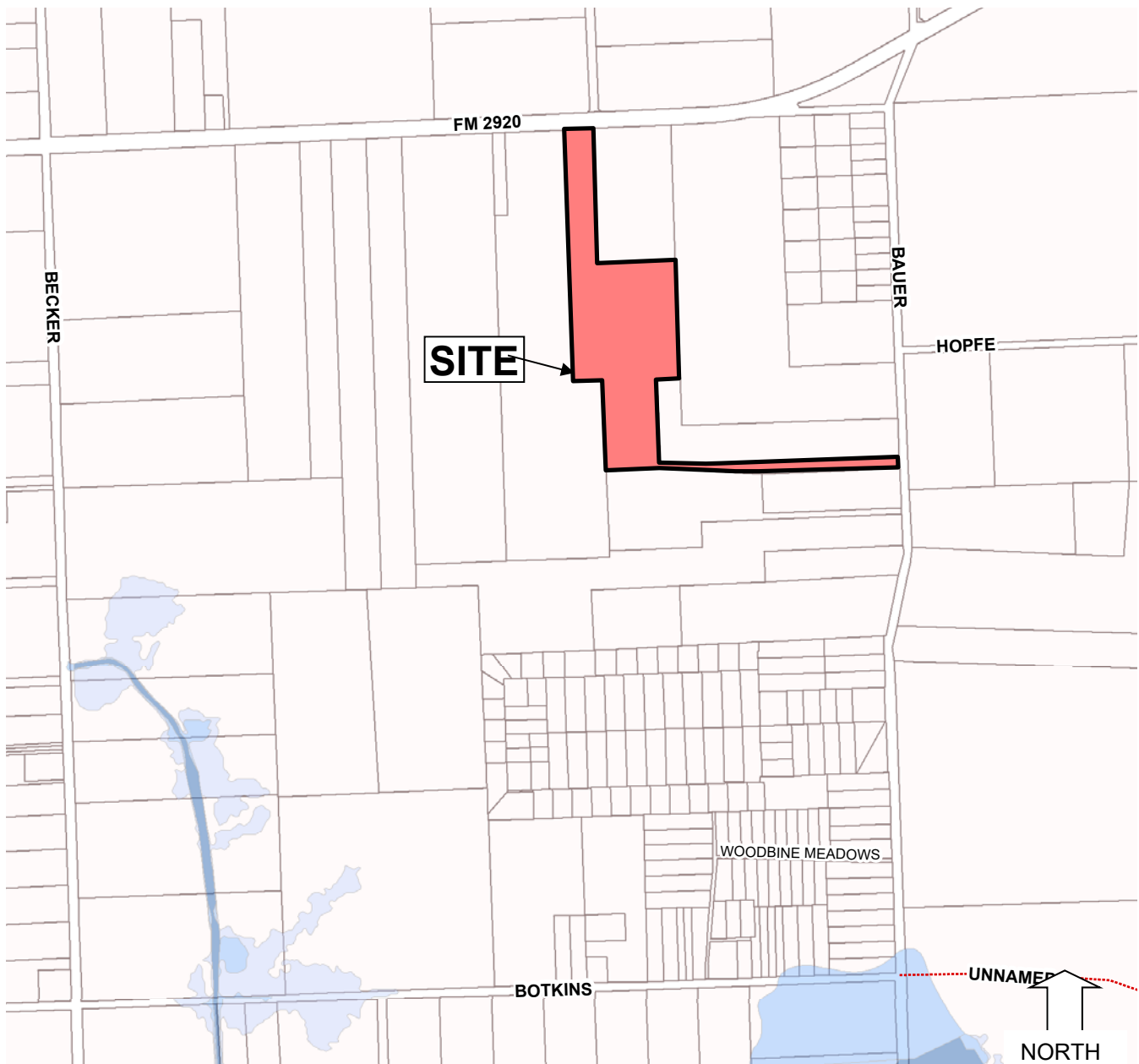
ITEM: 86

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Double Oak Commons GP (DEF 1)

Applicant: The Pinnell Group, LLC



D – Variances

Site Location

Houston Planning Commission

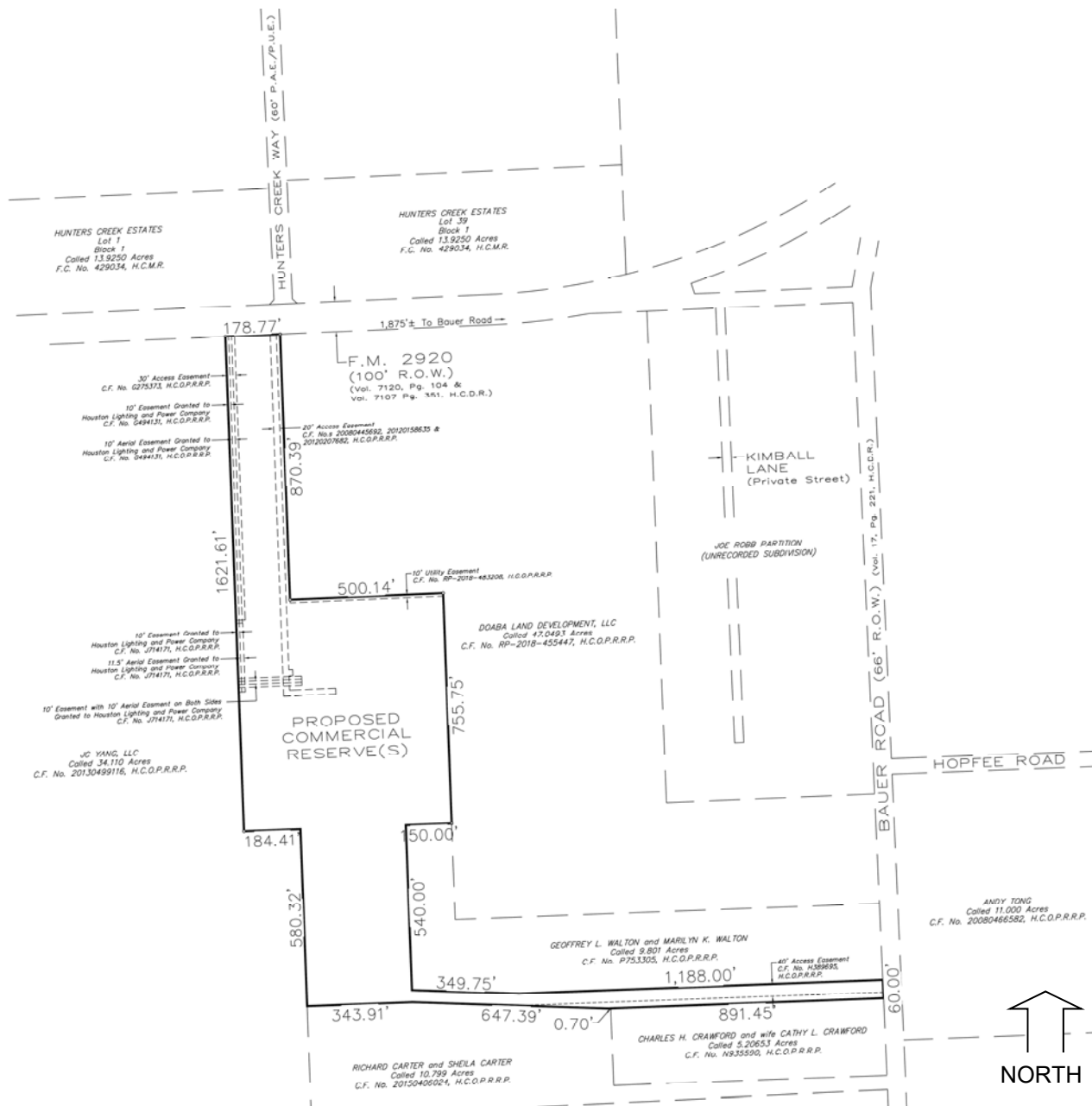
ITEM: 86

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Double Oak Commons GP (DEF 1)

Applicant: The Pinnell Group, LLC



D – Variances

Subdivision

Houston Planning Commission

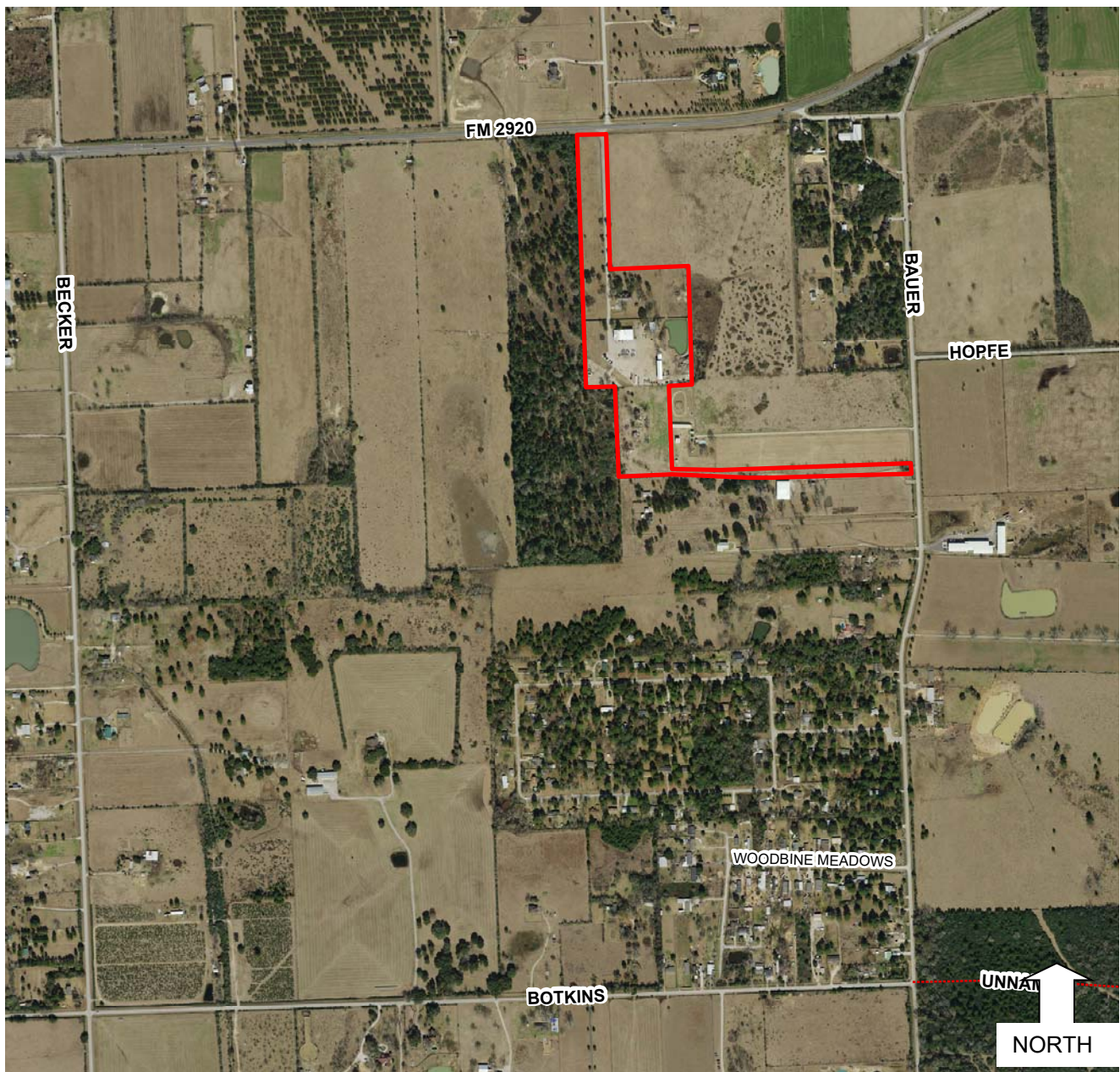
ITEM: 86

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Double Oak Commons GP (DEF 1)

Applicant: The Pinnell Group, LLC



D – Variances

Aerial



Application Number: 2019-2299

Plat Name: Double Oak Commons GP

Applicant: The Pinnell Group, LLC

Date Submitted: 12/20/2019

The applicant bears the burden of providing factual, material, and compelling evidence to support a variance request in the Statement of Facts ("SOF") below. The applicant must write a response to each of the statements as part of their application. Failure to do so will result in the application being deemed incomplete and not placed before the Planning Commission. The applicant may attach additional supporting documents to the application. P&D will not correct, revise, or edit the applicant's information. P&D will formulate its recommendation by evaluating the SOF's information, the additional information provided and any relevant information available to the Department.

(Sec. 42-47 and Sec. 42-81)

Specific Variance is being sought and extent of variance:

Section Number (42-127 Intersections of Major Thoroughfares); We are seeking a variance to allow the intersection spacing to exceed 2,600 feet along the southerly side of F.M. 2920, between Becker Road and Bauer Road and along the westerly side of Bauer Road between F.M. 2920 and Botkins Road.

Chapter 42 Section: 42-127

Chapter 42 Reference:

42-127(a) A major thoroughfare shall intersect with a public local street, a collector street or another major thoroughfare at least every 2,600 feet.

Statement of Facts

(1a) The imposition of the terms, rules, conditions, policies and standards of this chapter would create an undue hardship by depriving the applicant of the reasonable use of the land; OR

(1b) Strict application would make this project infeasible due to the existence of unusual physical characteristics that affect the property in question, or would create an impractical development or one otherwise contrary to sound public policy;

The owner of this 21.8 +/- acres of land is about to develop its property and are required to plat it before permits are issued. The owner wishes to create a single reserve with buildings located in the middle portion of the property. A dedicated road with building set-back lines through the property would make this project infeasible. Moreover, the surrounding properties are large acreage tracts that front on F.M. 2920, Bauer Road, Botkins Road and Becker Road, and a new North/South street through this property will not improve traffic flow in this area. Hunters Creek Way offers no connection to the north as it was platted as a private access easement and will not line up with a north to south street through the subject property. The short spacing between Hunters Creek Way and a proposed street through the subject property would create an impractical intersection. It would also be impractical to dedicate a road into this property and dead end into a cul-de-sac. This scenario will not improve current traffic flow nor benefit the proposed development. Currently, Botkins Road is the nearest public street to south for connection and is nearly a mile from F.M. 2920.

(2) The circumstances supporting the granting of the variance are not the result of a hardship created or imposed by the applicant;

The circumstances supporting the granting of the variance are logical and make economic sense. If the subject property was created as a residential development, then the installation of a North/South street or East/West street through the property would benefit future residential development in the area. However, the owner is adding to an existing commercial development and the requirement to install a street would not benefit the public, nor the development.

(3) The intent and general purposes of this chapter will be preserved and maintained;

Currently, there is no traffic that will benefit from a dedicated street through the property. The intent of a dedicated 60-foot street would be to improve traffic flow for local residences.

(4) The granting of the variance will not be injurious to the public health, safety or welfare;

Currently, there is nothing injurious to the public health, safety and welfare due to the non-existence of a street through the property, and there will continue to be nothing injurious to the public health, safety and welfare if this variance is granted.

(5) Economic hardship is not the sole justification of the variance.

This request is not based on economic reasons. It is a matter of creating a practical commercial development without a 60-foot public right-of-way leading to a dead end.

Houston Planning Commission

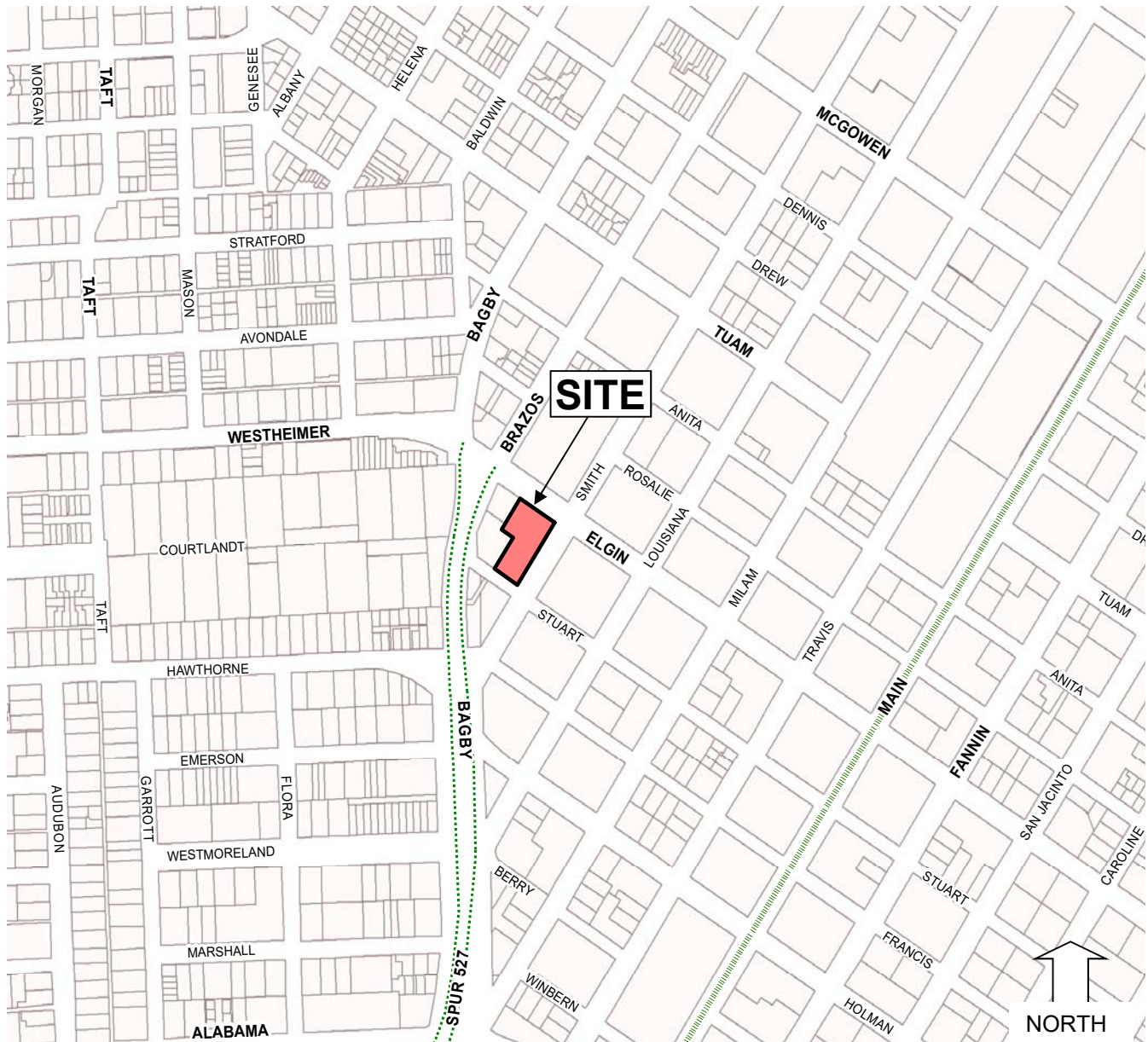
ITEM: 87

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Elgin Smith

Applicant: Vernon G. Henry & Associates, Inc.



D – Variances

Site Location

Houston Planning Commission

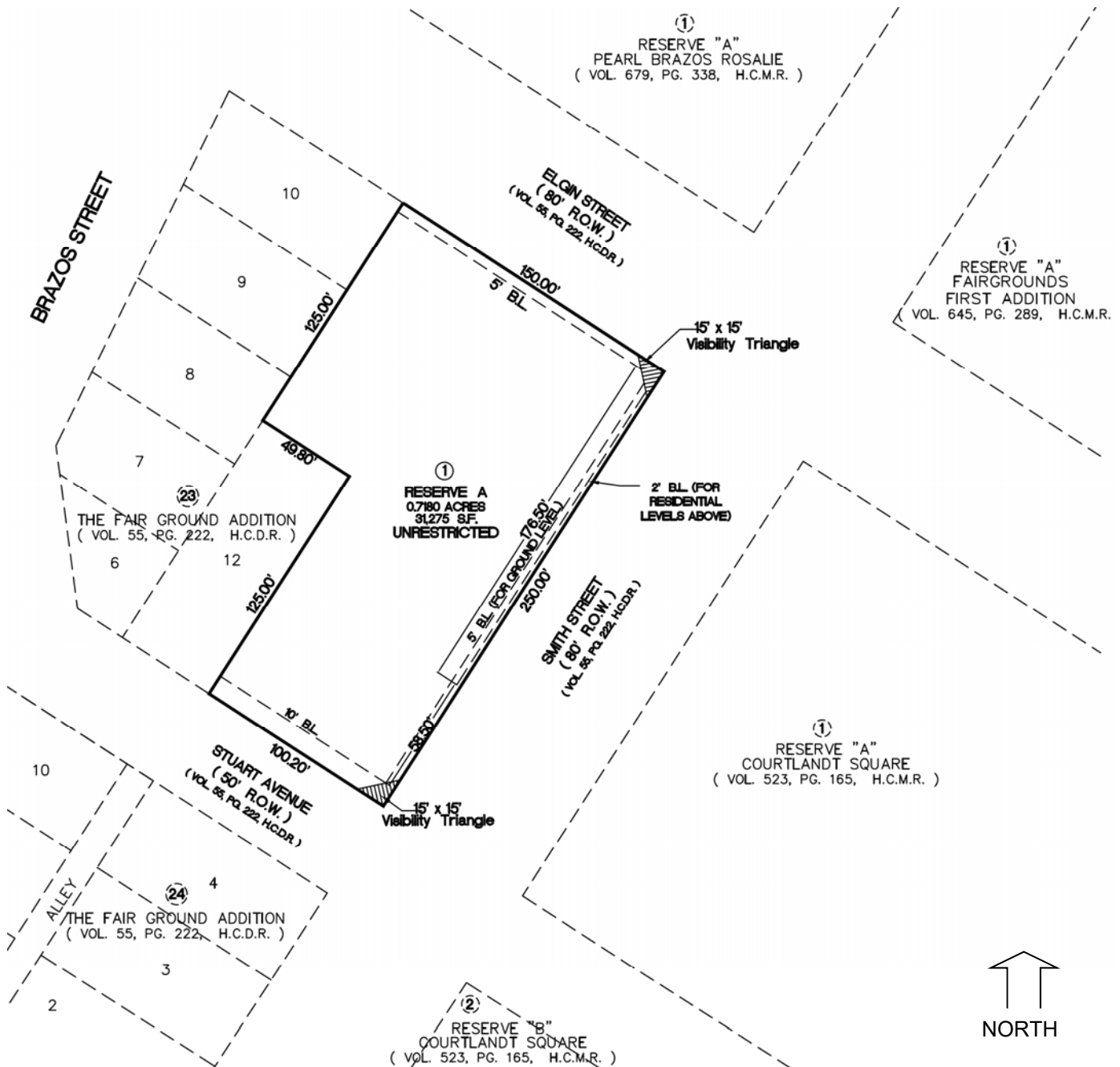
ITEM: 87

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Elgin Smith

Applicant: Vernon G. Henry & Associates, Inc.



D – Variances

Subdivision

Houston Planning Commission

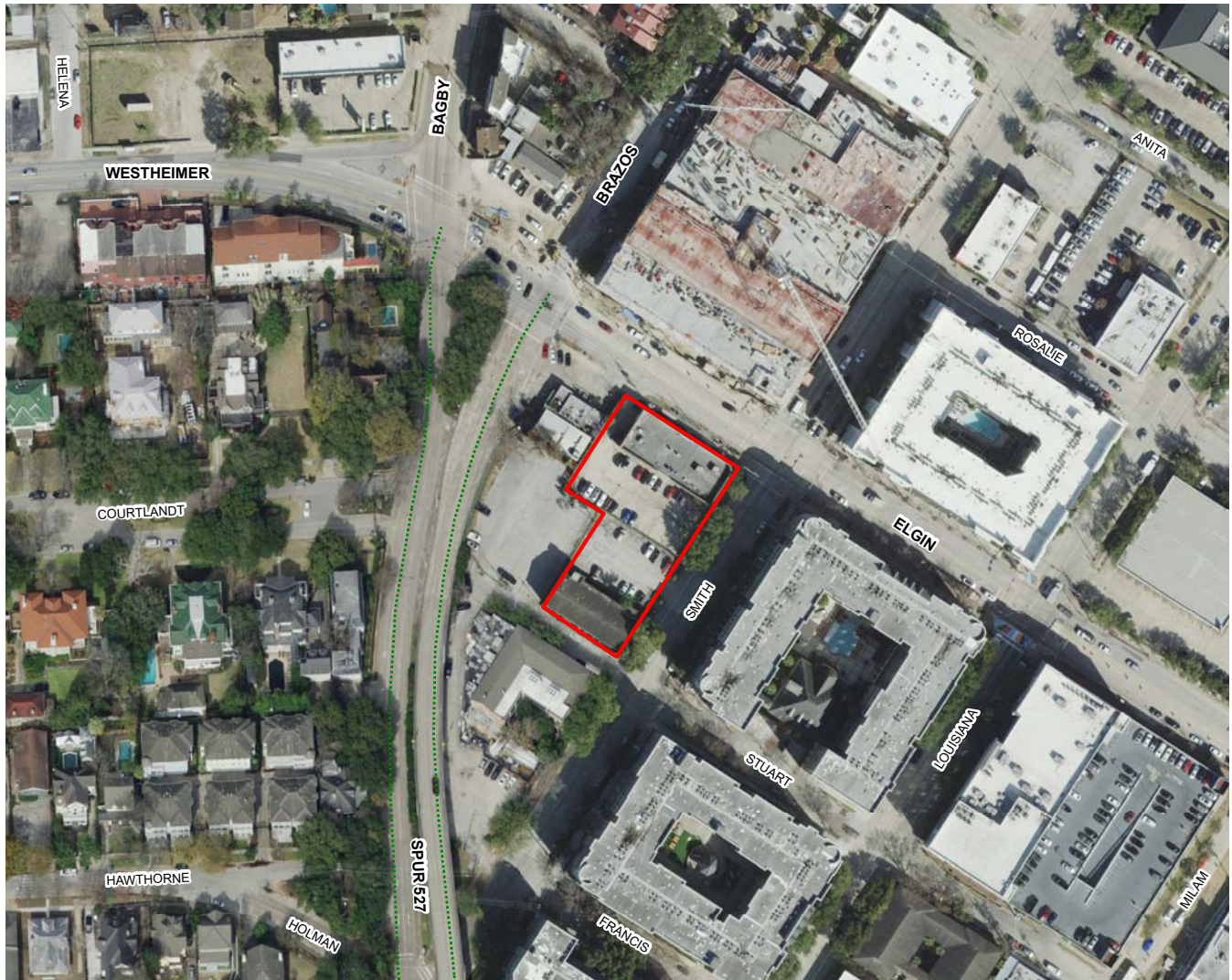
ITEM: 87

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Elgin Smith

Applicant: Vernon G. Henry & Associates, Inc.



D – Variances

Aerial

FLOOR LEGEND

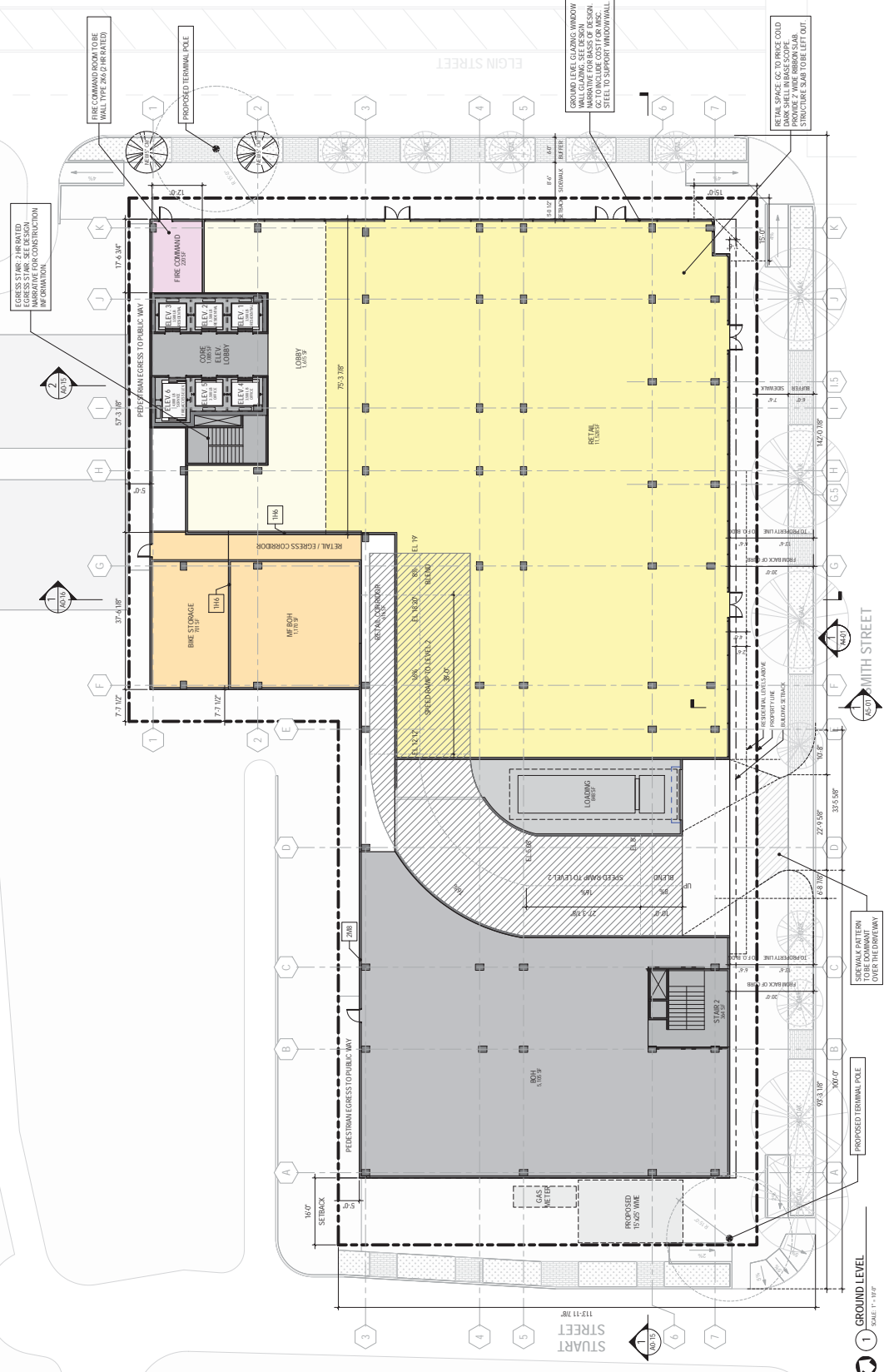
- BIKE STORAGE
- COKE
- FIRE COMMAND
- LOADING
- LOBBY
- ME BOH
- ME BOH
- RETAIL
- RETAIL CORRIDOR
- STAIR 2

Architect
PRESTON
The Preston Partnership, LLC
1000 Peachtree Street, Suite 3000
Atlanta, Georgia 30309
Tel: 770.396.7248 Contact: Adam Parrish
Client
514 ELGIN DEVELOPMENT, LLC
1000 Peachtree Street, Suite 3000
Atlanta, Georgia 30309
Tel: 770.396.7248 Contact: Adam Parrish
Design Architect
MAYFIELD AND RAGNI STUDIO
3000 Peachtree Street, Suite 3000
Atlanta, Georgia 30309
Tel: 770.396.7248 Contact: Adam Parrish

514 ELGIN
DEVELOPMENT,
LLC
Hazardous Waste

SHEET HISTORY	DATE
1	10/10/2017
2	10/10/2017
3	10/10/2017
4	10/10/2017
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99	10/10/2017
100	10/10/2017

1910701
SHEET TITLE
GROUND LEVEL
SHEET NUMBER
A0-01
NOT FOR CONSTRUCTION
COMMITTEE



1 GROUND LEVEL
SCALE 1" = 10'

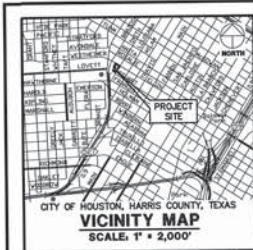
Architect
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Design Architect
MAYFIELD AND RAGNI STUDIO
3002 Monroe Street
Atlanta, Georgia 30307
Tel: 770.396.7248 Contact: Mike Mayfield

DATE

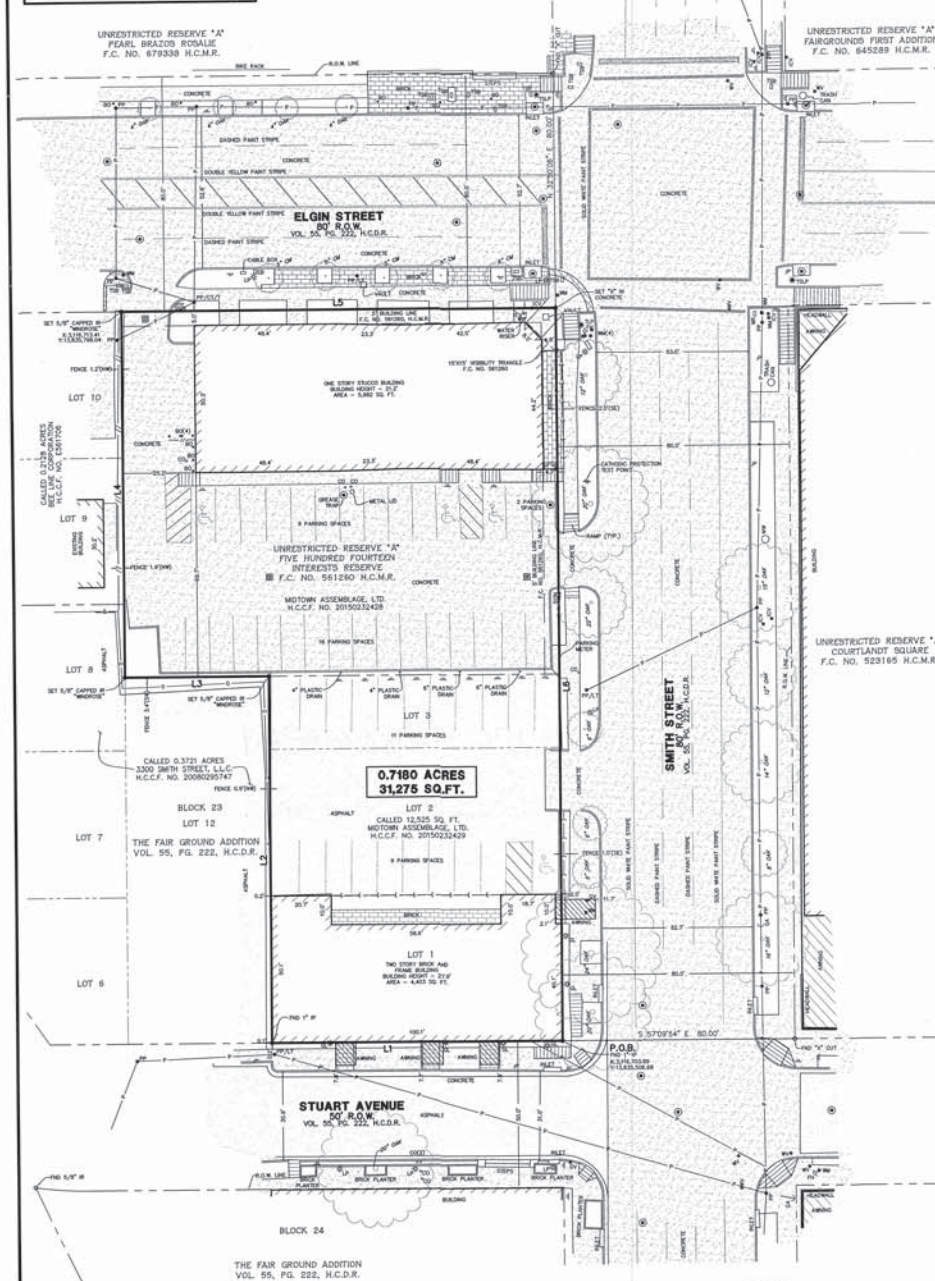
PROJECT

514 ELGIN
DEVELOPMENT,
LLC
Houston, Texas

DATE	COMMENTS



UNRESTRICTED RESERVE "A"
PEARL BRAZOS BOULEVARD
F.C. NO. 679338 H.C.M.R.



THE FAIR GROUND ADDITION
VOL. 55, PG. 222, H.C.D.R.

FLOOD INFORMATION

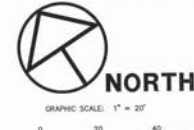


**FIRM
FLOOD INSURANCE RATE MAP**
HARRIS COUNTY,
TEXAS
AND INCORPORATED AREAS

PANEL 060 OF 1150
HARRIS COUNTY, TEXAS
FIRM FLOOD INSURANCE RATE MAP
HARRIS COUNTY, TEXAS
AND INCORPORATED AREAS
DATE: JUNE 18, 2007
MAP NUMBER: 550700000000
MAP DATE: JUNE 18, 2007
FIRM FLOOD INSURANCE RATE MAP
HARRIS COUNTY, TEXAS
AND INCORPORATED AREAS
DATE: JUNE 18, 2007
MAP NUMBER: 550700000000
MAP DATE: JUNE 18, 2007

Federal Emergency Management Agency

LINE	BEARING	DISTANCE
1	N 57°09'54" W	100.00
2	N 57°09'54" E	125.00
3	N 57°09'54" W	49.80
4	N 57°09'54" E	125.00
5	N 57°09'54" W	150.00
6	N 57°09'54" E	250.00



DESCRIPTION

BEING A TRACT OR PARCEL OF LAND CONTAINING 0.7180 ACRES OR 31,275 SQUARE FEET, BEING ALL OF UNRESTRICTED RESERVE "A", FIVE HUNDRED FOURTEEN INTERESTS RESERVE, RECORDED UNDER F.C. NO. 561260, H.C.M.R. AND LOT 1-3, THE FAIR GROUND ADDITION, RECORDED UNDER VOL. 55, PG. 222, H.C.D.R., SITUATED IN THE O. SMITH STREET TRACT, AS SHOWN HEREON.

BEING A TRACT OR PARCEL OF LAND CONTAINING 0.7180 ACRES OR 31,275 SQUARE FEET, BEING ALL OF UNRESTRICTED RESERVE "A", FIVE HUNDRED FOURTEEN INTERESTS RESERVE, RECORDED UNDER F.C. NO. 561260, H.C.M.R. AND LOT 1-3, THE FAIR GROUND ADDITION, RECORDED UNDER VOL. 55, PG. 222, H.C.D.R., SITUATED IN THE O. SMITH STREET TRACT, AS SHOWN HEREON.

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GENERAL NOTES

1. SURVEYOR DID NOT ABSTRACT SUBJECT PROPERTY. THIS SURVEY WAS PREPARED FROM INFORMATION CONTAINED IN A TITLE COMMITMENT NO. 100541000000 OF FIDELITY NATIONAL TITLE INSURANCE COMPANY, EFFECTIVE DATE OF SEPTEMBER 15, 2010, ISSUED DATE OF SEPTEMBER 15, 2010, AND IS SUBJECT TO THE LIMITATIONS OF THAT COMMITMENT.
2. BEARINGS WERE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83). ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES AND MAY BE BROUGHT TO GRID BY APPLYING THE FOLLOWING SCALE FACTOR: 0.99999800.
3. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) FOR HARRIS COUNTY, TEXAS, MAP NO. 550700000000, REVISION/DATE: JUNE 18, 2007, THE SUBJECT TRACT APPEARS TO BE WITHIN AN UNDESIGNATED FLOOD HAZARD AREA. THIS DETERMINATION WAS MADE BY VISUAL INSPECTION ONLY AND HAD NOT BEEN FIELD VERIFIED. THIS FLOOD STATEMENT DOES NOT MEAN THAT THE PROPERTY OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON SOME OCCASIONS FLOODING CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF WINDROSE LAND SERVICES.
4. DEVELOPMENT OF THIS TRACT IS SUBJECT TO REQUIREMENTS PER CITY OF HOUSTON ORDINANCE NO. 2013-143 WHICH STRIPES PLATING AND SETBACK REQUIREMENTS. PROPOSED USAGE OF THIS TRACT WILL DETERMINE ACTUAL BUILDING SETBACKS. UNLESS ANY ADJOINING STREETS REFER TO CITY OF HOUSTON BUILDING CODES TO ESTABLISH MINIMUM PUBLISHED SETBACK REQUIREMENTS. ULTIMATELY, THE CITY OF HOUSTON PLANNING COMMISSION WILL DETERMINE REQUIRED SETBACKS. SETBACKS OF PLANS OR PLATS SUBMITTED TO SAID COMMISSION FOR REVIEW. THIS TRACT MAY REQUIRE PLATING AS A CONDITION FOR RECEIVING BUILDING PERMITS.
5. READILY VISIBLE IMPROVEMENTS AND UTILITIES WERE LOCATED WITH THIS SURVEY. NO EXCAVATION, PROBING, EXCAVATION OR EXPLORATION WAS PERFORMED BY WINDROSE LAND SERVICES.
6. ENVIRONMENTAL AND DRAINAGE ISSUES ARE BEYOND THE SCOPE OF THIS SURVEY.
7. THE SQUARE FOOTAGE TOTALS SHOWN HEREON WERE MADE BY MATHEMATICAL CALCULATIONS OF THE COORDINATES AND DISTANCES PRESENT TO THE POSTAL ACCURACY OF THE BOUNDARY MONUMENTATION.
8. FENCES SHOWN HEREON WITH DIMENSIONAL TIES ARE SHOWN WHERE THEY ARE PHYSICALLY MEASURED. THE FORCE MAY VARY BETWEEN MEASURED LOCATIONS.
9. THE WORD "CERTIFY" OR "CERTIFICATE" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE EXPRESSED OR IMPLIED.
10. ACCORDING TO THE HARRIS COUNTY APPRAISAL DISTRICT, THE ADDRESSES OF THE SUBJECT TRACT ARE AS FOLLOWS: TAX ID NO. 013241000000 IS 3123 SMITH ST, HOUSTON, TX 77008; TAX ID NO. 013241000000 IS 3123 SMITH ST, HOUSTON, TX 77008; TAX ID NO. 013241000000 IS 3123 SMITH ST, HOUSTON, TX 77008.
11. NO ZONING REPORT PROVIDED AT THE TIME OF THE SURVEY.
12. THERE WERE 47 REGULAR STRIPED PARKING SPACES AND 1 HANDICAPPED STRIPED PARKING SPACE ON THE SUBJECT TRACT AT THE TIME OF SURVEY.
13. THERE WAS NO OBSERVED EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS ON THE SUBJECT TRACT AT THE TIME OF SURVEY.
14. THERE WAS NO OBSERVED EVIDENCE OF RECENT STREET, SIDEWALK CONSTRUCTION OR REPAIRS ON THE SUBJECT TRACT AT THE TIME OF SURVEY.
15. THERE WERE NO WETLAND AREAS DELINEATED ON THE SUBJECT TRACT AT THE TIME OF SURVEY.
16. EASEMENTS ARE OVER THE PROPERTY LINES ON SMITH STREET AND STUART AVENUE AS SHOWN HEREON.

SCHEDULE 'B' NOTES

- A.1. SUBJECT TO RESTRICTIVE COVENANTS AS RECORDED UNDER F.C. NO. 561260, H.C.M.R. AND H.C.D.R. NO. 550523.
- B.1(a). 31 BUILDING LINES ALONG ELGIN STREET AND SMITH STREET AS RECORDED UNDER F.C. NO. 561260, H.C.M.R. (AFFECTS SUBJECT TRACT, SHOWN HEREON).

SURVEYOR'S CERTIFICATION

TO: JENNY PROPERTIES, A TEXAS LIMITED PARTNERSHIP
FIDELITY NATIONAL TITLE INSURANCE COMPANY
MIDTOWN ASSEMBLY, LTD.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2006 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/PLATS (LAND TITLE SURVEYS) JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND MEETS THE REQUIREMENTS OF THE ALTA/PLAT STANDARD, 17-18, 19-20 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON OCTOBER 9, 2010.

ROBERT JENSEN
Registered Professional Land Surveyor
Texas Registration No. 6460

DATE: 11/03/2019

WINDROSE
LAND SURVEYING & PLATTING
11111 RICHMOND AVE, STE 100 • HOUSTON, TX 77036 • P 713.488.2881
WWW.WINDROSELANDSURVEYING.COM

LAND TITLE SURVEY OF
0.7180 ACRES (31,275 SQ. FT.)
BEING ALL OF UNRESTRICTED RESERVE "A", FIVE HUNDRED
FOURTEEN INTERESTS RESERVE, RECORDED UNDER F.C. NO.
561260, H.C.M.R. AND LOT 1-3, THE FAIR GROUND ADDITION,
RECORDED UNDER VOL. 55, PG. 222, H.C.D.R.,
SITUATED IN THE O. SMITH STREET TRACT, AS SHOWN
HEREON.
CITY OF HOUSTON, HARRIS COUNTY, TEXAS

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FIELD BY: RD CHECKED BY: TW SHEET NO. 55274-EX-COND

DRAWN BY: SS DATE: NOVEMBER 2019 JOB NO. 1 OF 1

REVISIONS

DATE REASON BY



Application Number: 2020-0014

Plat Name: Elgin Smith

Applicant: Vernon G. Henry & Associates, Inc.

Date Submitted: 01/10/2020

The applicant bears the burden of providing factual, material, and compelling evidence to support a variance request in the Statement of Facts ("SOF") below. The applicant must write a response to each of the statements as part of their application. Failure to do so will result in the application being deemed incomplete and not placed before the Planning Commission. The applicant may attach additional supporting documents to the application. P&D will not correct, revise, or edit the applicant's information. P&D will formulate its recommendation by evaluating the SOF's information, the additional information provided and any relevant information available to the Department.

(Sec. 42-47 and Sec. 42-81)

Specific Variance is being sought and extent of variance:

To allow a reduced building line on Smith Street

Chapter 42 Section: 155

Chapter 42 Reference:

Sec. 42-155. - Collector and local streets—Uses other than single-family residential. (a) The building line requirement for a tract used or to be used for other than single-family residential purposes adjacent to a street that is a collector street or local street that is not an alley shall be ten feet unless otherwise required or authorized by this chapter.

Statement of Facts

(1a) The imposition of the terms, rules, conditions, policies and standards of this chapter would create an undue hardship by depriving the applicant of the reasonable use of the land; OR

(1b) Strict application would make this project infeasible due to the existence of unusual physical characteristics that affect the property in question, or would create an impractical development or one otherwise contrary to sound public policy;

This is a site on the western edge of Midtown at the southwestern corner of Smith and Elgin Streets. The north half of the site currently has a retail shopping center on it that was approved with a variance for a reduced building line of 5' along Smith Street. On the south side of the site, there is a low density office building that was constructed in 1966. The developer is proposing a higher density mixed-use product that is in line with the ideology of Midtown becoming a more walkable place. This building will contain retail/commercial on floors 1 and 2. Floors 2-7 will primarily consist of parking garage with an attractive screening element on the perimeter. Floors 8-12 will consist of office space. Floors 13 and above will be dedicated to residential use. The proposed mixed-use high-rise building contains multiple retail/commercial spaces on the first and second floors that front on both Elgin and Smith Streets. On Elgin Street, the building will be set back 5' from the property line and will take advantage of the performance standards outlined in Chapter 42, which allow reduced building lines for retail commercial centers on major thoroughfares of 80' or less. On Smith Street, the building will be setback 6'6" from the property line at the ground level, which gives this frontage a 20' pedestrian realm. This pedestrian realm includes a 6' safety buffer and a 14' sidewalk. However, there is a canopy that encroaches this 6'6" on the first floor at a vertical clearance of approximately 17'. There are also residential floors/balconies that come up to 2.5' from the property line starting on the 13th floor of the building, which is approximately 158' in the air. The project plan for Midtown, as approved by City Council, called for new buildings to be constructed close to the street in order to create the kind of dense urban environment often found in sections of older, more walkable cities in this country and abroad. Mixed-use was also sought so that residents might be able to walk or take transit to restaurants, shops, museums, and places of employment. If the Commission grants the requested variance, this project will have an enhanced pedestrian realm on all three sides of the development with wider sidewalks. Several variances have been granted in recent years for reduced building lines in this immediate area. For instance, the Whole Foods mixed use project has a 2' building line on Elgin and 0' building lines on Smith and Brazos. The Calais apartment project also has 0' building lines on all sides of 3 blocks it occupies directly east across Smith. In addition, the Pearl Midtown at the northeast corner of Smith and Elgin has 0' setbacks on Elgin, Smith, and Louisiana. There are also several other buildings in the area, which were developed prior to the City's development ordinance in 1982, that come up all the way to the ROW line.

(2) The circumstances supporting the granting of the variance are not the result of a hardship created or imposed by the applicant;

The adopted plan for Midtown calls for the creation of pedestrian-friendly streetscapes, which require variances from the city-wide usual standards as well as extra/enhanced elements within the pedestrian realm. The fact that Midtown is a proposed pilot area for the recent Walkable Places Committee efforts reinforces the guidelines behind the Midtown Plan.

(3) The intent and general purposes of this chapter will be preserved and maintained;

One of the purposes of chapter 42 is to support unique neighborhood character/area plans, which can be done by requesting variances from the standard requirements as is appropriate in this circumstance. One of the purposes of chapter 42 is to support unique neighborhood character/area plans, which can be done by requesting variances from the standard requirements as is appropriate in this circumstance.

(4) The granting of the variance will not be injurious to the public health, safety or welfare;

Bringing buildings up closer to the street promotes walkability, transit use, and pedestrian safety. These things preserve public health, safety, and welfare. The only access and curb cut to the property occurs on Smith Street, thus limiting pedestrian/vehicle conflicts significantly.

(5) Economic hardship is not the sole justification of the variance.

The justification for the variance is the creation of a pedestrian-friendly environment in accordance with the plan for Midtown and the proposed guidelines from the Walkable Places Subcommittee.



CITY OF HOUSTON

Planning and Development

Sylvester Turner

Mayor

Margaret Wallace Brown
Director
P.O. Box 1562
Houston, Texas 77251-1562

T. 832.393.6600
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www.houstontx.gov

January 16, 2020

NOTICE OF VARIANCE REQUEST

PROJECT NAME: Elgin Smith

REFERENCE NUMBER: 2020-0014

VAR

Dear Property Owner:

The Planning and Development Department has received a subdivision plat application with a variance request for a property located along Smith Street between Stuart Avenue and Elgin Street. You are receiving this letter because you are listed in the Harris County Appraisal District records as a neighboring owner for property that falls within the Chapter 42 required notification area adjacent to this variance request.

Vernon G. Henry & Associates, Inc., the applicant, has filed the request on behalf of Midtown Assemblage Ltd, the developer of the subject site. The applicant is requesting a variance to allow a 5' building line for the ground level and a 2' building line for residential levels above along Smith Street, a local public street, instead of the required 10' B.L. Enclosed are copies of the variance request, the proposed subdivision plat, and the site plan submitted by the applicant.

The Planning and Development Department staff is currently reviewing this application and will present a recommendation to the Houston Planning Commission. The Commission is the non-legislative body authorized to review and render decisions on subdivision applications and requests. The meeting at which this item will first be considered is listed below. A sign with this information has also been posted on the project site.

PLANNING COMMISSION MEETING INFORMATION:

Thursday, January 23rd, 2020, beginning at 2:30 p.m.

City Hall Annex Building, 900 Bagby Street

City Council Chamber, Public Level, Houston, Texas

Members of the public may attend the meeting to make comments or express concerns about the proposed project. For additional information regarding this project, please call Jake Patrick with Vernon G. Henry & Associates, Inc. at 713-627-8666. You may also contact Aracely Rodriguez with the Planning and Development Department regarding this notice via email at planning.variances@houstontx.gov or call (832)393-6600. To view the complete Planning Commission meeting agenda, go to www.houstonplanning.com. Information on the reverse side of this page explains more about the terminology used in this letter. **Para más información acerca de este documento, favor de llamar al Departamento de Planificación y Desarrollo al 832-393-6659.**

TERMINOLOGY

- **CHAPTER 42:** The City of Houston's, Code of Ordinances that describes the rules and regulations for subdividing property within the corporate limits and the extraterritorial jurisdiction.
- **EXTRATERRITORIAL JURISDICTION (ETJ):** Represents the area extending beyond Houston's corporate limits approximately five miles into the unincorporated areas of Harris, Fort Bend, Liberty, Montgomery, and Waller counties.
- **SUBDIVISION PLAT:** A graphical presentation of a particular surveyed tract of land laying out street rights-of-way, lots and reserves, building setback lines, and easements which must comply with the development requirements of the City of Houston's, Code of Ordinances, Chapter 42. These regulations, adopted by City Council, are intended to promote the safe, orderly and healthy development of the City and its extraterritorial jurisdiction. The approved map subsequently may be filed and recorded with the appropriate county clerk's office as the official map of record for this property.
- **SUBDIVISION REPLAT:** Is simply a subdivision plat that further subdivides an existing subdivision plat. Typically, a replat will make changes to the layout of lots, reserves, building setback lines and easements.
- **VARIANCE:** A deviation from strict compliance with the rules and regulations of Chapter 42. The applicant must document a reasonable hardship that staff can evaluate.
- **SPECIAL EXCEPTION:** A commission-approved adjustment to the certain standards of Chapter 42. The applicant must document existing special circumstances unique to the land that justify modification of the development standards.

PLANNING COMMISSION BODY, AUTHORITY AND OBLIGATION

- The Houston Planning Commission is a non-legislative body authorized to govern the subdivision rules and regulations described in Chapter 42. The Commission consists of 25 members and meets every two weeks per their adopted Commission meeting schedule.

PLANNING DEPARTMENT STAFF, AUTHORITY AND OBLIGATION

- Development Services Division reviews subdivision plats, replats and development plats for compliance with the rules and regulations described in Chapter 42. Development plats must also comply with Chapter 26 (Off-street Parking and Loading) and Chapter 33 (Trees, Shrubs and Screening Fences).

CITY OF HOUSTON SEC. 42-82 AND 42-83

- Notification to property owners within 250 feet of certain proposed development applications with a requested variance is required. The proposed development must be located within the city limits.

PROPERTY OWNERSHIP INFORMATION

- For notification purposes, property ownership information and property owner mailing addresses are obtained from the most recent property tax rolls of the county in which the property is located.
- Addressed envelopes and postage are provided by the applicant.

Houston Planning Commission

ITEM: 88

Planning and Development Department

Meeting Date: 01/23/2019

Subdivision Name: Enterra At Oneil (DEF 1)

Applicant: The Interfield Group



D – Variances

Site Location

Houston Planning Commission

ITEM: 88

Planning and Development Department

Meeting Date: 01/09/2019

Subdivision Name: Enterra At Oneil (DEF 1)

Applicant: The Interfield Group



D – Variances

Aerial



O N E I L A T M A T T H E W S
A N D E R S O N C A N Y O N , L L C



Application Number: 2019-2359

Plat Name: Enterra at Oneil

Applicant: The Interfield Group

Date Submitted: 12/23/2019

The applicant bears the burden of providing factual, material, and compelling evidence to support a variance request in the Statement of Facts ("SOF") below. The applicant must write a response to each of the statements as part of their application. Failure to do so will result in the application being deemed incomplete and not placed before the Planning Commission. The applicant may attach additional supporting documents to the application. P&D will not correct, revise, or edit the applicant's information. P&D will formulate its recommendation by evaluating the SOF's information, the additional information provided and any relevant information available to the Department.

(Sec. 42-47 and Sec. 42-81)

Specific Variance is being sought and extent of variance:

To allow a reduced right of way dedication along Matthews Street, a local street

Chapter 42 Section: 122

Chapter 42 Reference:

42-122 (d) – Right-of-way widths The minimum right-of-way required for each of the following types of streets or public alleys shall be as follows, subject only to the street width exception areas established pursuant to section 42-123 of this Code: Local streets (1) 50 feet if adjacent to exclusively single-family residential lots; or

Statement of Facts

(1a) The imposition of the terms, rules, conditions, policies and standards of this chapter would create an undue hardship by depriving the applicant of the reasonable use of the land; OR

(1b) Strict application would make this project infeasible due to the existence of unusual physical characteristics that affect the property in question, or would create an impractical development or one otherwise contrary to sound public policy;

Enterra At Oneil is south of Oneil Street, west of Webster Street, north of W. Webster Street and east of Matthews Street. The new development will consist of six (6) single family homes that will access the public street through a shared driveway. Enterra At Oneil is located in the Fourth Ward, south of West Gray, and just outside the Fourth Ward street width exception "as-is" area. However, development is in the street width exception area that requires a minimum right-of-way of 50 feet. Enterra At Oneil would be required to dedicate a 10-foot strip of land along Matthews Street. This dedication would deny developer reasonable use of approximately 1000 SF (0.023-acres) of land, a practical site layout and the ability to be consistent with nearby developments along Matthews Street. • Matthews Street was originally created as a 30-foot right-of-way. In 2001, a plat for the development across Matthews Street dedicated 2.5 feet and labeled Matthews a proposed 35-foot right-of-way. In 2003, a plat for the development south of subject property dedicated 2.5 feet to Matthews Street and dimensioned Matthews Street a proposed 35-foot right-of-way. • Matthews Street is only three (3) blocks in length, terminating at intersection with Victory Street and West Webster Street, and only three (3) homes will access Matthews Street on this block face. • Enterra At Oneil and adjacent development do not have curb cuts along Matthews Street; therefore, Enterra At Oneil will not significantly increase traffic or deny on-street parking along this street. • Recently, it has been the City's desire to reduce the number of curb cuts, and encourages developers to consider a shared driveway development. Shared driveway developments require a 16- to 18-foot shared driveway. This strip is unbuildable land that is strictly for access. Enterra At Oneil is a shared driveway development that will require only one curb cut. A 10-foot dedication and 16-foot shared driveway will make the proposed development infeasible.

(2) The circumstances supporting the granting of the variance are not the result of a hardship created or imposed by the applicant;

No hardship created or imposed by the applicant is used as a basis to support the request for this variance. Variance request is based on factors external to subject tract.

(3) The intent and general purposes of this chapter will be preserved and maintained;

The intent and general purpose of Chapter 42 will be preserved and maintained, due to the following considerations: a. Proposed development will include a 5-foot sidewalk along Matthews and O'Neil Streets b. Homes along Matthews will have a private sidewalk that connects to the public sidewalk c. Development will have an 8' wrought iron/semi opaque fencing along O'Neil Street and a 5' black wrought iron along Matthews d. In addition to the 15'x15' visibility triangle, an unobstructed visibility easement is provided along Matthews Street e. 3" caliper trees along O'Neil Street f. A sidewalk easement within O'Neil Street 5' building line to accommodate a 5' sidewalk g. Yards between right-of-way line and residences will be landscaped and will preserve and enhance the general character of the block face.

(4) The granting of the variance will not be injurious to the public health, safety or welfare;

The granting of the variance will not be injurious to the public health, safety or welfare. Instead, it will make the site layout more practical and beautify the block face, without in any way compromising public health or safety.

(5) Economic hardship is not the sole justification of the variance.

Economic hardship is not the sole justification of the variance, which is being requested on the basis of a reasonable assessment of prevailing conditions, allowing this development a more practical shared driveway site layout and to be consistent with nearby developments.



CITY OF HOUSTON

Planning and Development

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January 2nd, 2020

NOTICE OF VARIANCE REQUEST

PROJECT NAME: Enterra At Oneil

REFERENCE NUMBER: 2019-2359

VAR

Dear Property Owner:

The Planning and Development Department has received a subdivision application with a variance request for a property located at the southeast intersection of Mathews St. and Oneil St. You are receiving this letter because you are listed in the Harris County Appraisal District records as a neighboring owner for property that falls within the Chapter 42 required notification area adjacent to this variance request.

The Interfiled Group, LLC, the applicant, has filed the request on behalf of the developer of the subject site. The applicant is requesting a variance for reduced r.o.w dedication along Mathews St.

The Planning and Development Department staff is currently reviewing this application and will present a recommendation to the Houston Planning Commission. The Commission is the non-legislative body authorized to review and render decisions on subdivision applications and requests. The meeting at which this item will first be considered is listed below. A sign with this information has also been posted on the project site.

PLANNING COMMISSION MEETING INFORMATION:

Thursday, January 9th, 2020, beginning at 2:30 p.m.

City Hall Annex Building, 900 Bagby Street

City Council Chamber, Public Level, Houston, Texas

Members of the public may attend the meeting to make comments or express concerns about the proposed project. For additional information regarding this project, please call Mary Villareal of "The Interfiled Group", at 713-780-0909 (Ext:312). You may also contact Devin Crittle with the Planning and Development Department regarding this notice via email at planning.variances@houstontx.gov or call (832)393-6600. To view the complete Planning Commission meeting agenda, go to www.houstonplanning.com. Information on the reverse side of this page explains more about the terminology used in this letter. **Para más información acerca de este documento, favor de llamar al Departamento de Planificación y Desarrollo al 832-393-6659.**

TERMINOLOGY

- **CHAPTER 42:** The City of Houston's, Code of Ordinances that describes the rules and regulations for subdividing property within the corporate limits and the extraterritorial jurisdiction.

- **EXTRATERRITORIAL JURISDICTION (ETJ):** Represents the area extending beyond Houston's corporate limits approximately five miles into the unincorporated areas of Harris, Fort Bend, Liberty, Montgomery, and Waller counties.
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- **SUBDIVISION REPLAT:** Is simply a subdivision plat that further subdivides an existing subdivision plat. Typically, a replat will make changes to the layout of lots, reserves, building setback lines and easements.
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- **SPECIAL EXCEPTION:** A commission-approved adjustment to the certain standards of Chapter 42. The applicant must document existing special circumstances unique to the land that justify modification of the development standards.

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PLANNING DEPARTMENT STAFF, AUTHORITY AND OBLIGATION

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CITY OF HOUSTON SEC. 42-82 AND 42-83

- Notification to property owners within 250 feet of certain proposed development applications with a requested variance is required. The proposed development must be located within the city limits.

PROPERTY OWNERSHIP INFORMATION

- For notification purposes, property ownership information and property owner mailing addresses are obtained from the most recent property tax rolls of the county in which the property is located.
- Addressed envelopes and postage are provided by the applicant.

Houston Planning Commission

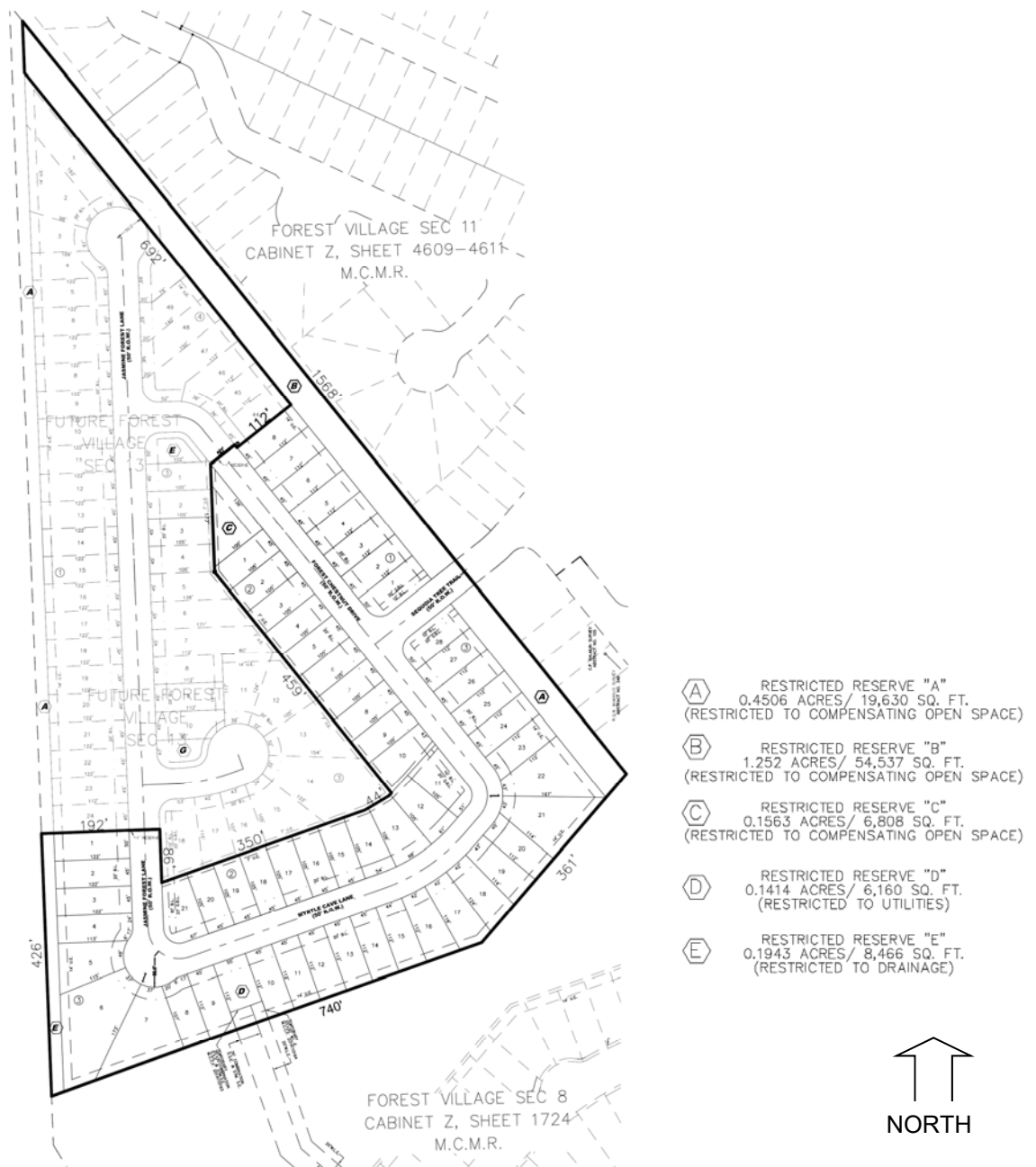
ITEM: 89

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Forest Village Sec 12

Applicant: Van De Wiele & Vogler, Inc.



D – Variances

Subdivision

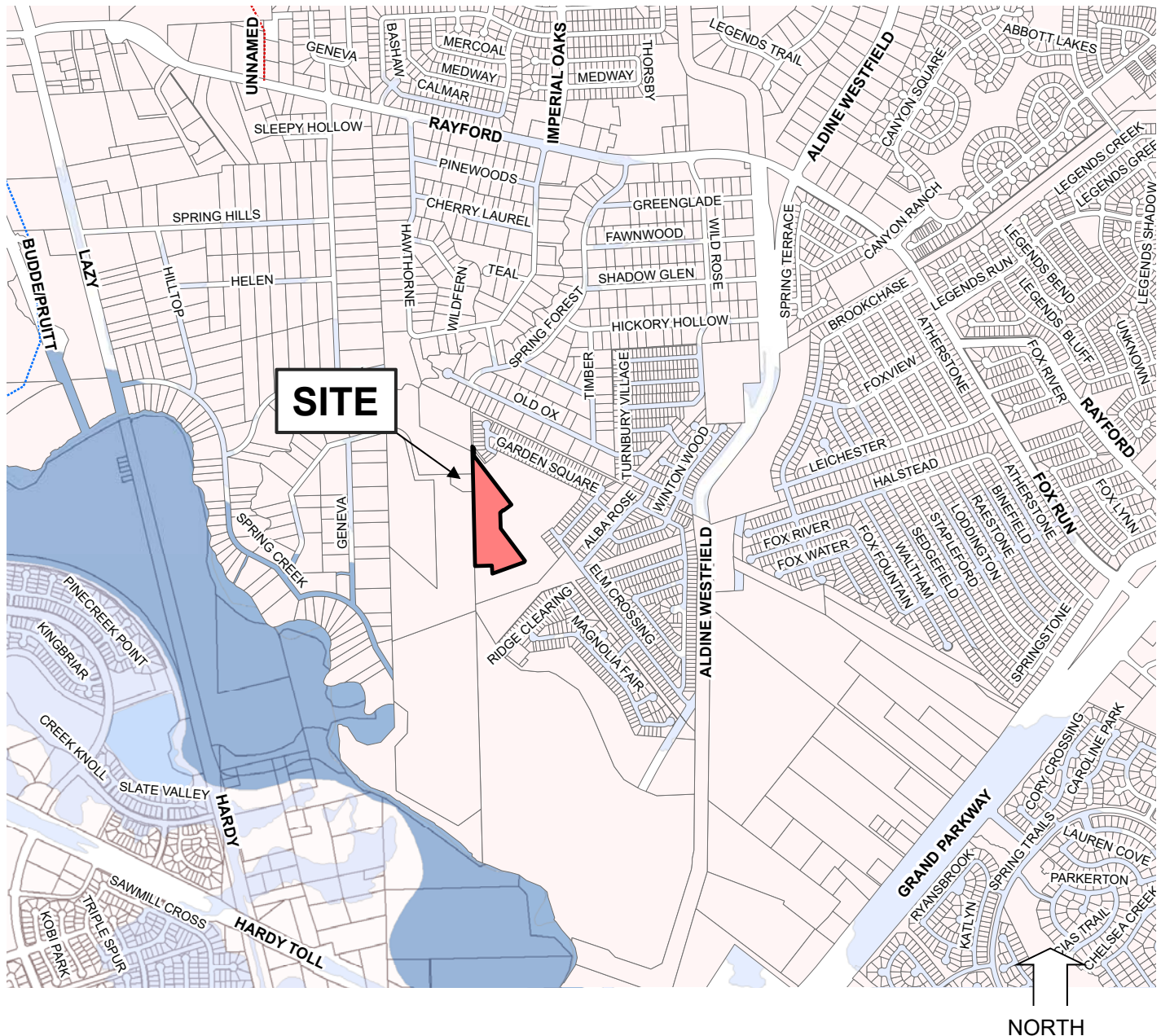
Planning and Development Department

ITEM: 90

Meeting Date: 01/23/2020

Subdivision Name: Forest Village Sec 13

Applicant: Van De Wiele & Vogler, Inc.



D – Variances

Site Location

Houston Planning Commission

ITEM: 90

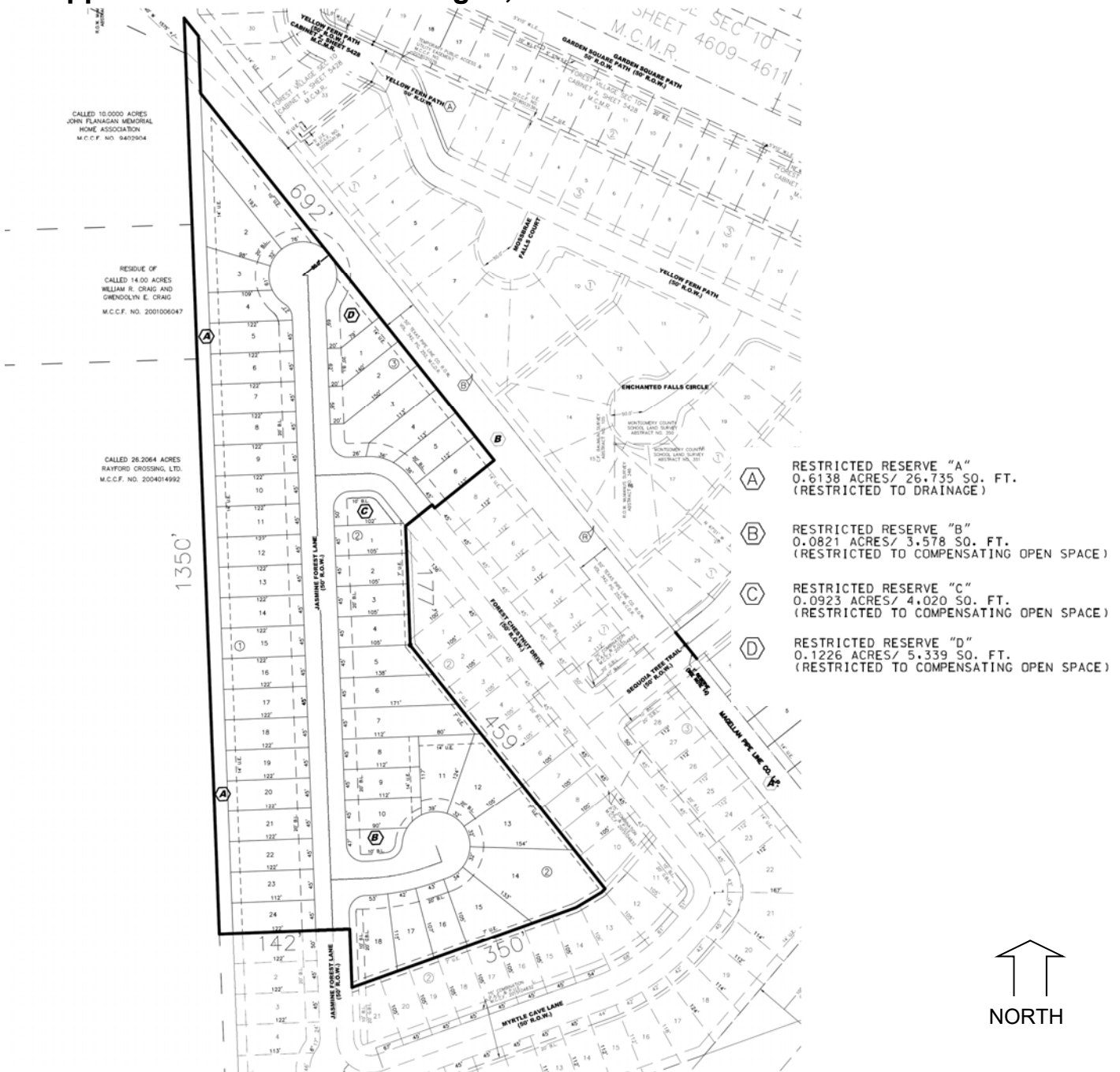
ITEM: 90

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Forest Village Sec 13

Applicant: Van De Wiele & Vogler, Inc.



D – Variances

Subdivision

Houston Planning Commission

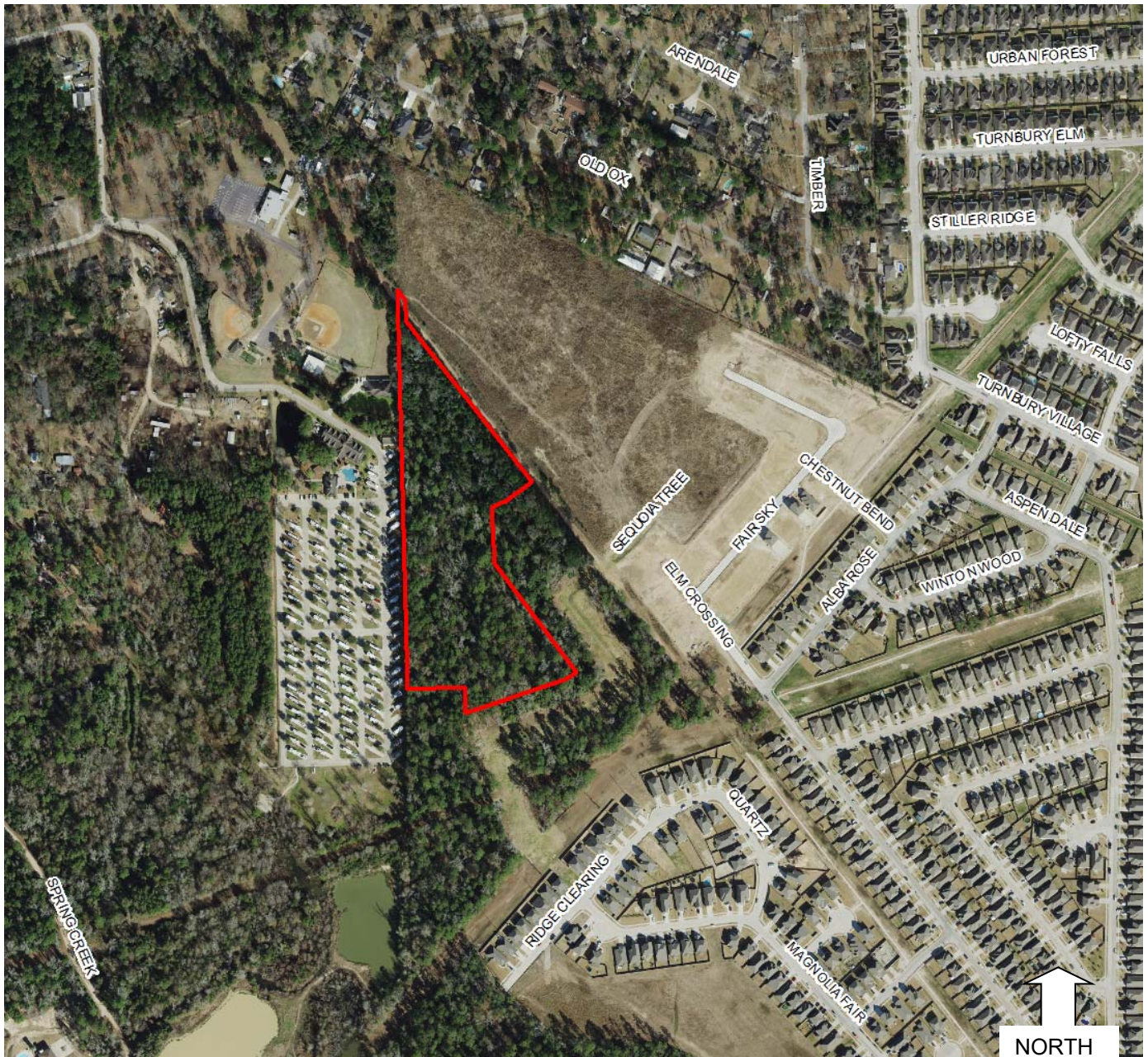
ITEM: 90

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Forest Village Sec 13

Applicant: Van De Wiele & Vogler, Inc.



D – Variances

Aerial



Application Number: 2020-0005

Plat Name: Forest Village Sec 13

Applicant: Van De Wiele & Vogler, Inc.

Date Submitted: 01/10/2020

The applicant bears the burden of providing factual, material, and compelling evidence to support a variance request in the Statement of Facts ("SOF") below. The applicant must write a response to each of the statements as part of their application. Failure to do so will result in the application being deemed incomplete and not placed before the Planning Commission. The applicant may attach additional supporting documents to the application. P&D will not correct, revise, or edit the applicant's information. P&D will formulate its recommendation by evaluating the SOF's information, the additional information provided and any relevant information available to the Department.

(Sec. 42-47 and Sec. 42-81)

Specific Variance is being sought and extent of variance:

To allow excessive intersection spacing along the western plat boundary.

Chapter 42 Section: 128 (a)-1

Chapter 42 Reference:

(1) Each local street shall intersect with a public street at least every 1400 feet.

Statement of Facts

(1a) The imposition of the terms, rules, conditions, policies and standards of this chapter would create an undue hardship by depriving the applicant of the reasonable use of the land; OR

We are requesting for a variance from providing a street going west from Jasmine Forest Lane to the western plat boundary because there is an existing resort and baseball park, Rayford Crossing RV Resort and World Baseball Academy, along the entire west boundary. Extension of this street will not occur. It would create a dumping ground instead of another single-family lot.

(1b) Strict application would make this project infeasible due to the existence of unusual physical characteristics that affect the property in question, or would create an impractical development or one otherwise contrary to sound public policy;

(2) The circumstances supporting the granting of the variance are not the result of a hardship created or imposed by the applicant;

Rayford Crossing RV Resort is a luxury resort that was established over 15 years ago in 2005. The World Baseball Academy has existed since 2003. These two establishments most likely will remain for a long period of time. The land developer purchased the 141 acres east of these establishment in 2008.

(3) The intent and general purposes of this chapter will be preserved and maintained;

Adequate traffic circulation will be to Rayford Rd. or Hardy Toll Rd. to allow for east and west travel.

(4) The granting of the variance will not be injurious to the public health, safety or welfare;

A stub street to the RV would be dangerous because children from the subdivision to access the swimming pool in the RV park.

(5) Economic hardship is not the sole justification of the variance.

The owner of the RV park would object to a dead-end street to their establishment. The land developer wants to be a good neighbor to the RV park.



Application Number: 2020-0005

Plat Name: Forest Village Sec 13

Applicant: Van De Wiele & Vogler, Inc.

Date Submitted: 01/10/2020

The applicant bears the burden of providing factual, material, and compelling evidence to support a variance request in the Statement of Facts ("SOF") below. The applicant must write a response to each of the statements as part of their application. Failure to do so will result in the application being deemed incomplete and not placed before the Planning Commission. The applicant may attach additional supporting documents to the application. P&D will not correct, revise, or edit the applicant's information. P&D will formulate its recommendation by evaluating the SOF's information, the additional information provided and any relevant information available to the Department.

(Sec. 42-47 and Sec. 42-81)

Specific Variance is being sought and extent of variance:

To allow 160 lot have one point of access from Elm Crossing trail.

Chapter 42 Section: 42-189

Chapter 42 Reference:

42-189-Points of access: Any subdivision that includes more than 150 lots shall have at least two points of access separated from each other by a distance of at least 250 feet to a public street outside the boundaries of the subdivision

Statement of Facts

(1a) The imposition of the terms, rules, conditions, policies and standards of this chapter would create an undue hardship by depriving the applicant of the reasonable use of the land; OR

There are 3 points of access even when the stub street is eliminated. Number 1 indicates access at Wild Rose Drive, Number 2 indicates access at Old Fox Rd., and Number 3 indicates access at Aldine Westfield Rd.

(1b) Strict application would make this project infeasible due to the existence of unusual physical characteristics that affect the property in question, or would create an impractical development or one otherwise contrary to sound public policy;

N/A

(2) The circumstances supporting the granting of the variance are not the result of a hardship created or imposed by the applicant;

The western physical boundary has a World Baseball Academy and Rayford Crossing RV resort established in 2003-2005. Spring Forest Section 1 on the northern physical boundary was established before the Forest Village general area, Spring Forest also doesn't have any stub street on this boundary. The eastern physical boundary has the Montgomery County Drainage District No. 6. The southern physical boundary is Trunkline Gas Company pipeline reserve.

(3) The intent and general purposes of this chapter will be preserved and maintained;

During rush hours, there are 160 lots that will have access to Elm Crossing Trail leading traffic flow to be an adequate circulation to 3 point of access.

(4) The granting of the variance will not be injurious to the public health, safety or welfare;

A stub street to the RV would be dangerous because children from the subdivision to access the swimming pool in the RV park.

(5) Economic hardship is not the sole justification of the variance.

The owner of the RV park would object to a dead-end street to their establishment. The land developer wants to be a good neighbor to the RV park.

Houston Planning Commission

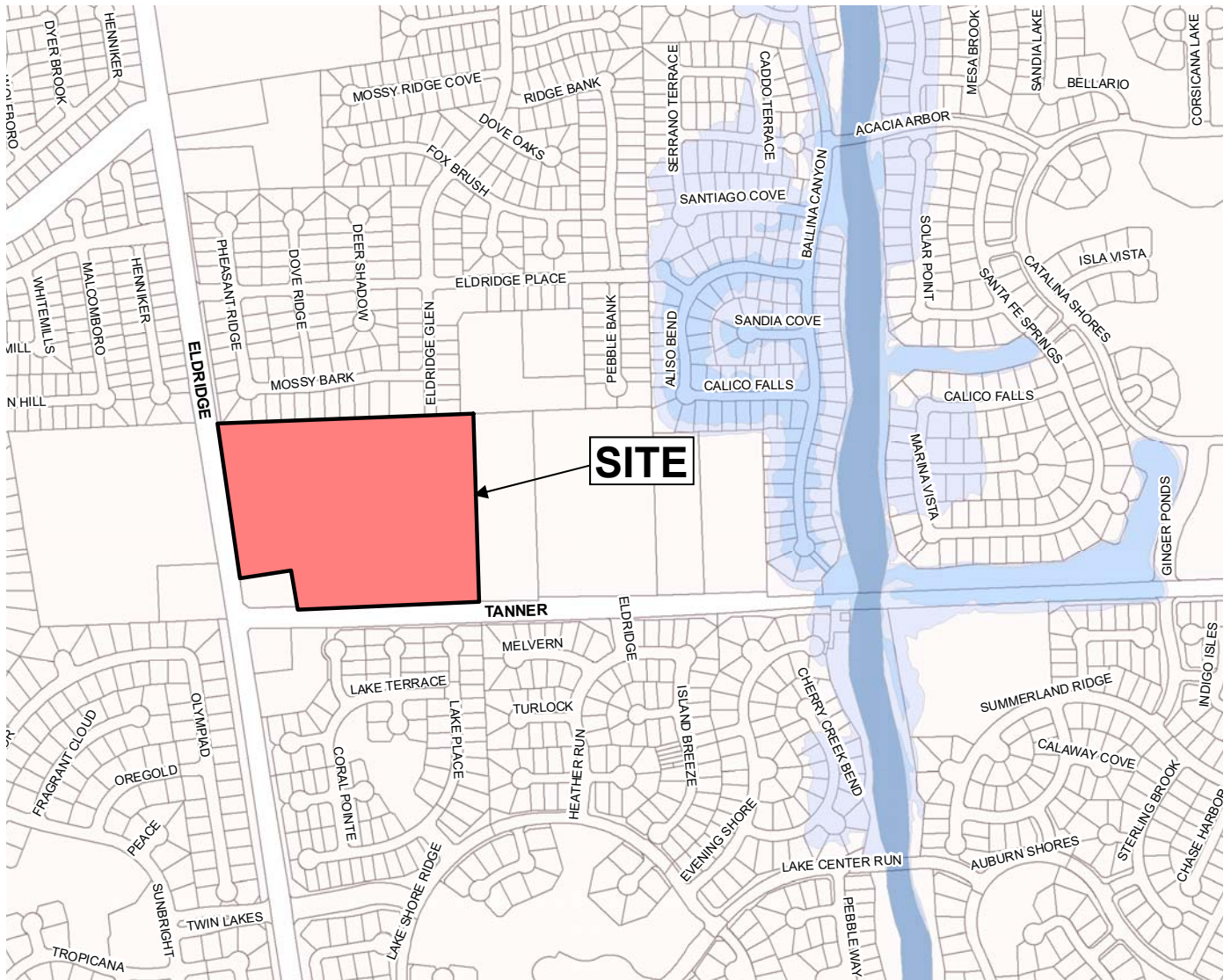
ITEM: 91

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: IDI Northwest Houston Distribution Center

Applicant: MBCO Engineering



D – Variances

Site Location

Subdivision

Houston Planning Commission

ITEM: 91

Planning and Development Department

Meeting Date: 01/23/2020

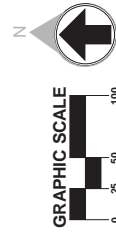
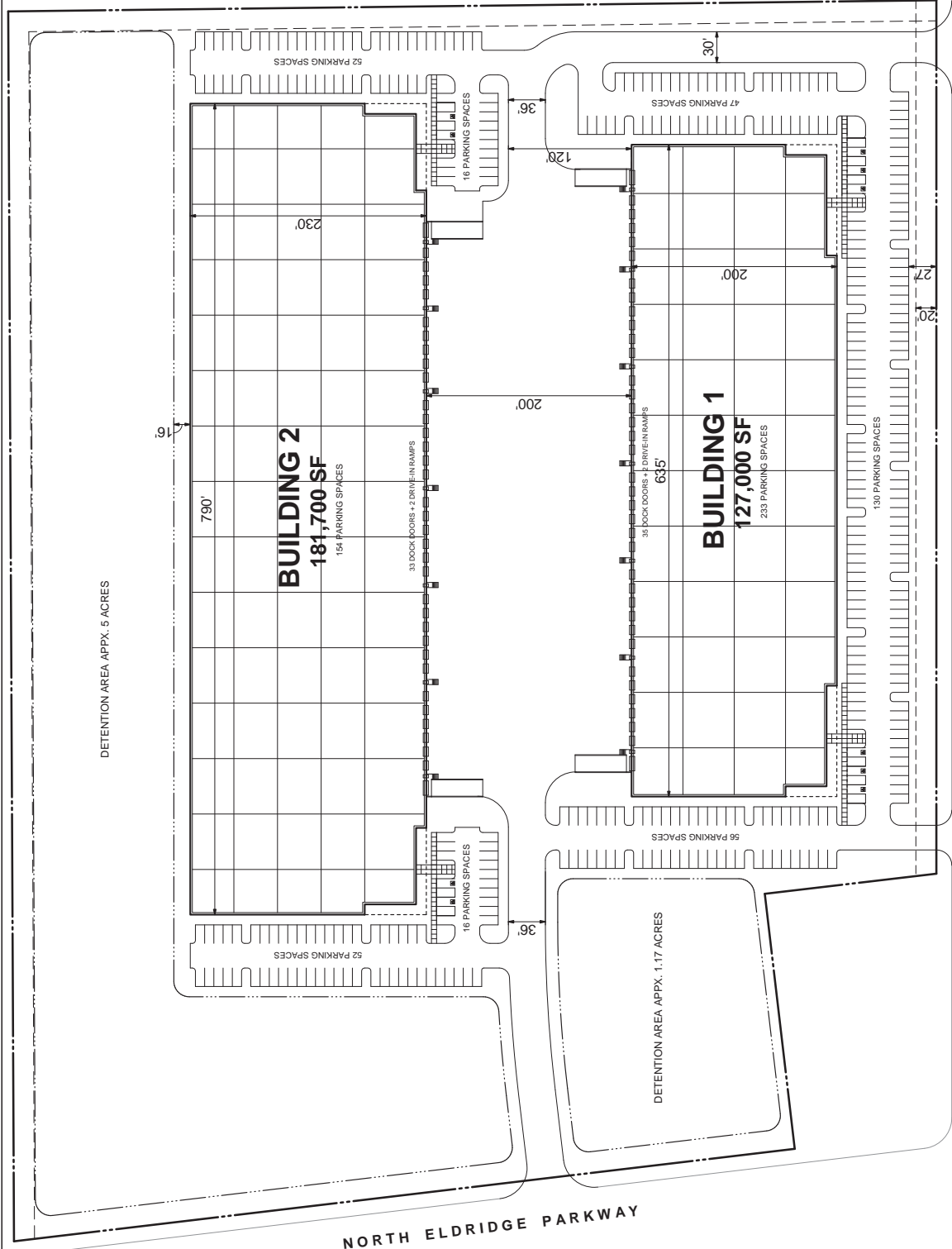
Subdivision Name: IDI Northwest Houston Distribution Center

Applicant: MBCO Engineering



D – Variances

Aerial



Tanner-Eldridge Site
Harris County, Texas

SP-1
Site Plan - Scheme 1
09/04/19

IDI Logistics

Houston Region
2727 Peaces Ferry Road SE
Building Two, Suite 1400
Atlanta, Georgia 30339
770-432-9400

MACGREGOR ASSOCIATES ARCHITECTS

PROJECT NUMBER: 1" = 50'-0"



Application Number: 2019-2289

Plat Name: IDI Northwest Houston Distribution Center

Applicant: MBCO Engineering

Date Submitted: 12/20/2019

The applicant bears the burden of providing factual, material, and compelling evidence to support a variance request in the Statement of Facts ("SOF") below. The applicant must write a response to each of the statements as part of their application. Failure to do so will result in the application being deemed incomplete and not placed before the Planning Commission. The applicant may attach additional supporting documents to the application. P&D will not correct, revise, or edit the applicant's information. P&D will formulate its recommendation by evaluating the SOF's information, the additional information provided and any relevant information available to the Department.

(Sec. 42-47 and Sec. 42-81)

Specific Variance is being sought and extent of variance:

To not extend the right-of-way (ROW) of Eldridge Glen Drive or terminate with a cul-de-sac.

Chapter 42 Section: 134

Chapter 42 Reference:

Sec 42-134.- Street extension. (a) A public street that terminates at the boundary of a plat previously approved by the commission without means of a vehicular turnaround shall be extended into the adjacent property at the time the adjacent property is platted unless: (1) The existing stub street is a local street and is not designated as a collector or major thoroughfare on the major thoroughfare and freeway plan; (2) The existing stub street is not shown as a through street on a current general plan approved by the commission for the subdivision in which the existing street is located or the subdivision that is the subject of the application; (3) The existing stub street is only one lot in depth; (4) The proposed subdivision will not extend residential development; and (5) The extension of the street is not required to meet the intersection spacing requirements of this chapter. If each of these criteria is met, the stub street is not required to be extended.

Statement of Facts

(1a) The imposition of the terms, rules, conditions, policies and standards of this chapter would create an undue hardship by depriving the applicant of the reasonable use of the land; OR

(1b) Strict application would make this project infeasible due to the existence of unusual physical characteristics that affect the property in question, or would create an impractical development or one otherwise contrary to sound public policy;

Eldridge Glen Drive is a local street that currently terminates at the subdivision boundary of Eldridge Park Section 5, a residential subdivision, adjacent to a neighborhood pocket park. The future development on the subject property is to be industrial warehouses with frequent truck traffic. Safety is the primary concern and would become an issue if the Eldridge Glen Drive ROW is extended. A proposed industrial development and an existing single-family residential subdivision would have direct access to one another via Eldridge Glen Drive. Eldridge Glen Drive is a local street within an existing 60' ROW that currently terminates at the south subdivision boundary of Eldridge Park Section 5, a single-family residential subdivision. The length of Eldridge Glen Drive that extends south past the intersection of Mossy Bark Lane is equal to the depth of a typical lot in the subdivision, ~ 170 linear feet. The stubbed portion of Eldridge Glen Drive is also adjacent to a neighborhood pocket park which is maintained by the Homeowner's Association. Given this configuration, very little traffic is introduced along the frontage of the pocket park which keeps park users and other local pedestrians safer than if the park was in a high-traffic area. The proposed development on the subject property will be multiple large industrial warehouse buildings with frequent heavy truck traffic. By requiring any extension of the Eldridge Glen Drive ROW, these uses would be allowed to mix. If Eldridge Glen Drive was required to fully extend to Tanner Road, would introduce additional "cut-thru" traffic that frequently creates issues in many residential subdivisions due to the high rates of speed of those cutting through on the local residential streets.

(2) The circumstances supporting the granting of the variance are not the result of a hardship created or imposed by the applicant;

The residential character of Eldridge Park Section 5 should be maintained as it has been there since 1997 when subdivision plat was recorded. The subject property has remained in this configuration for decades and by introducing heavy truck traffic and cut-thru traffic, the character of and safety within Eldridge Park is compromised.

(3) The intent and general purposes of this chapter will be preserved and maintained;

Despite not extending Eldridge Glen Drive south into the site, the general purpose of Chapter 42 will still be maintained. The extension of Eldridge Glen Drive is not required in order to meet the intersection spacing requirements outlined in Chapter 42. Local circulation for Eldridge Park is satisfied through the neighborhood's existing connections to West Little York Road to the north via Eldridge Glen Drive and North Eldridge Parkway to the west via Eldridge Place Drive.

(4) The granting of the variance will not be injurious to the public health, safety or welfare;

Public health, safety, and welfare are not negatively impacted by granting this variance since local residential circulation will continue to be adequately provided via West Little York Road and North Eldridge Parkway. Additionally, the level of safety near the neighborhood pocket park and the overall character of the neighborhood would be maintained as a result of granting the variance because additional traffic and heavy trucks would not be introduced to the neighborhood.

(5) Economic hardship is not the sole justification of the variance.

Justification for this variance is based on the fact that the street extension into the subject property creates a vehicular connection between two incompatible uses, industrial and residential. This connection would compromise the safety of both the residents to the neighborhood and the users of the proposed industrial development.

Houston Planning Commission

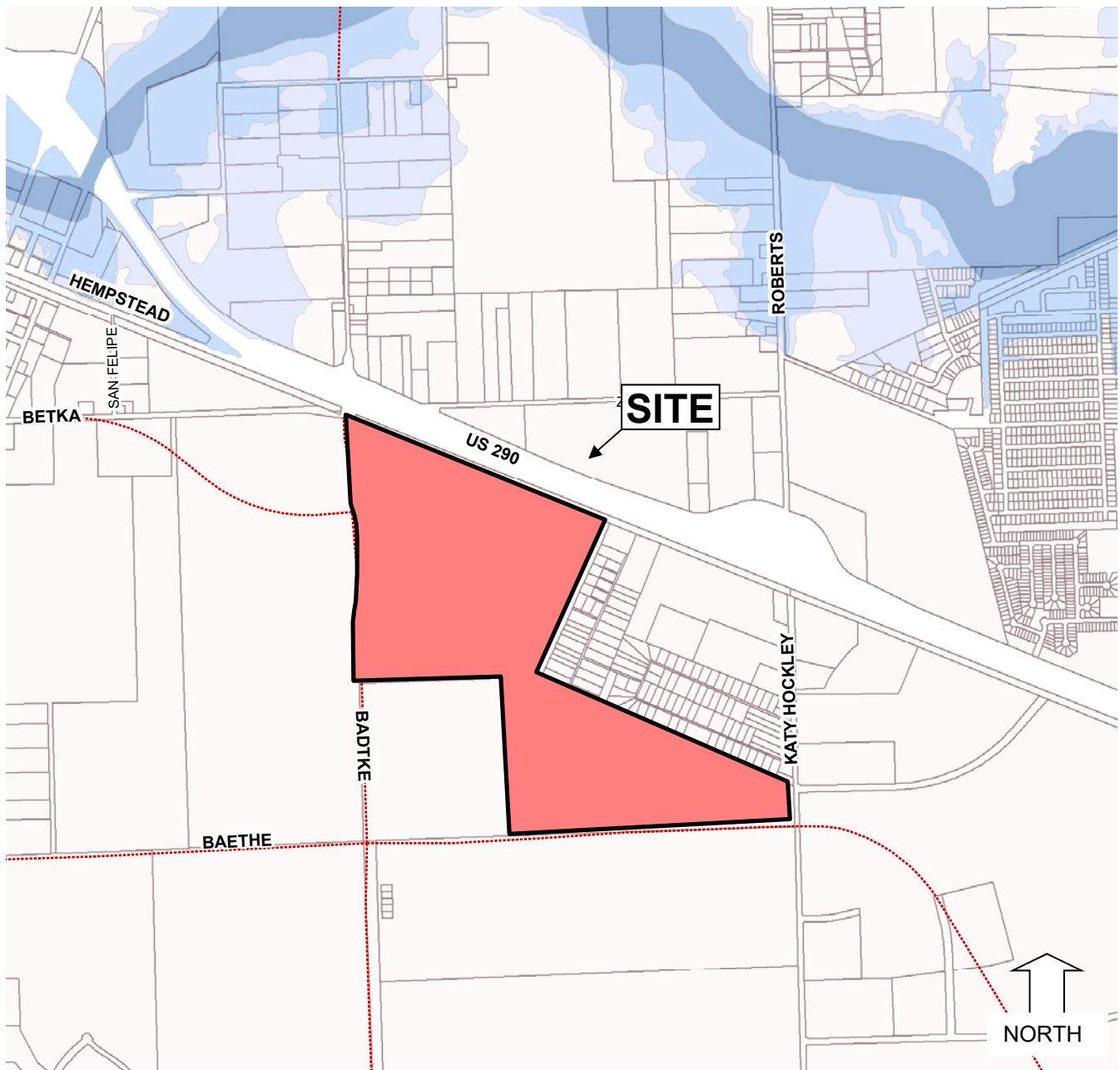
ITEM: 92

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: McAlister Opportunity Fund 2012 GP

Applicant: EHRA



D – Variances

Site Location

Houston Planning Commission ITEM: 92

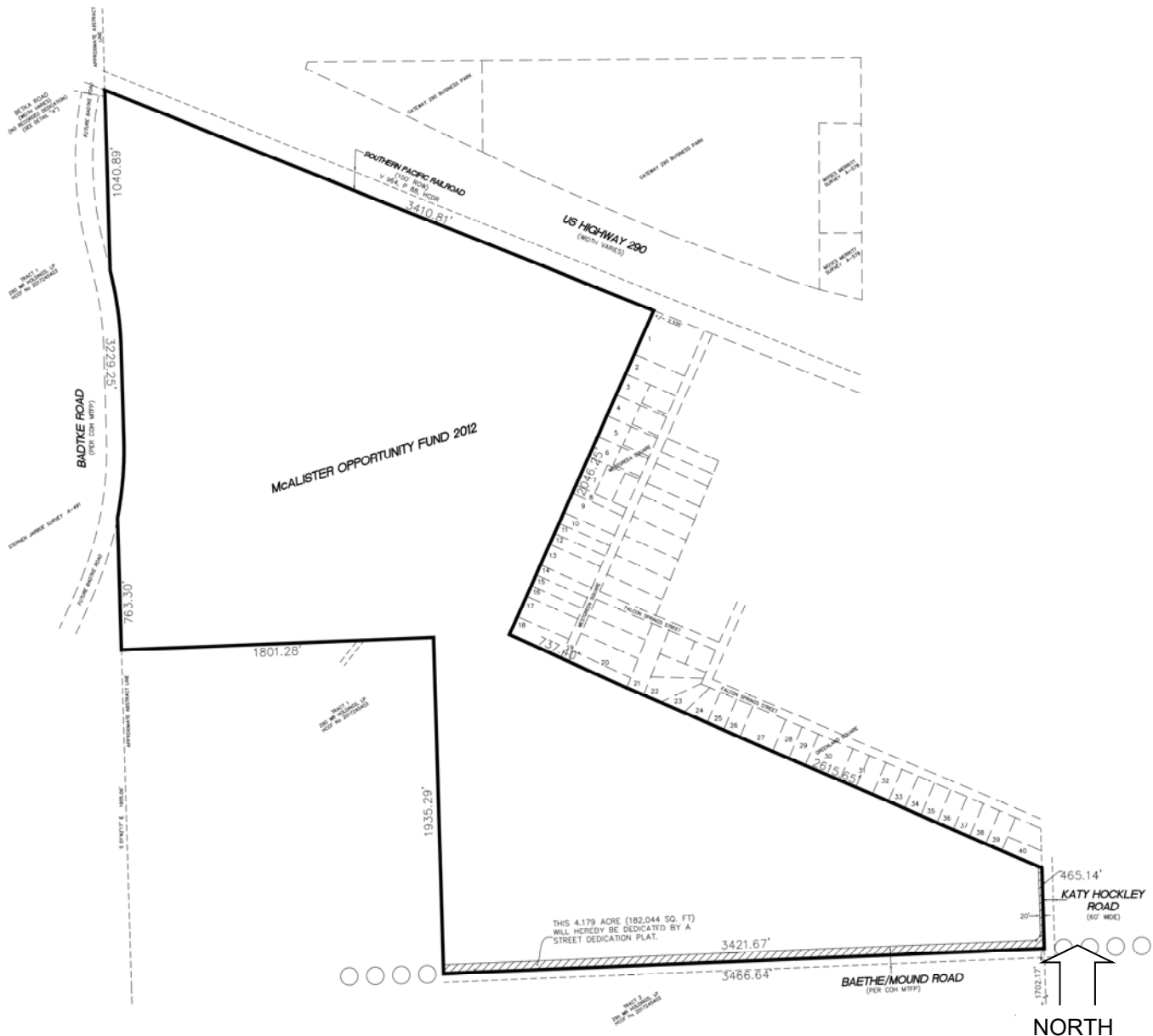
ITEM: 92

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: McAlister Opportunity Fund 2012 GP

Applicant: EHRA



D – Variances

Subdivision

Houston Planning Commission

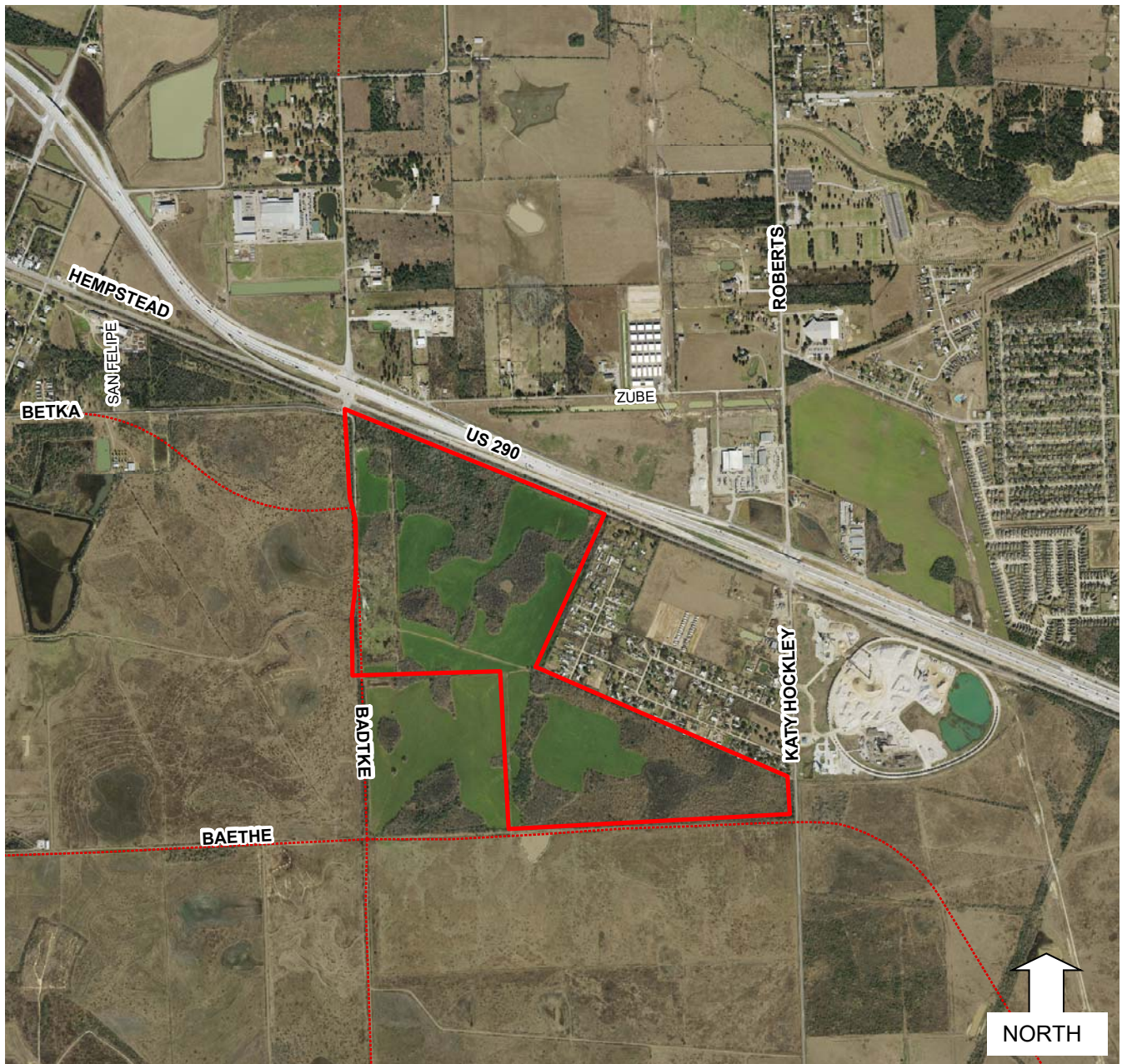
ITEM: 92

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: McAlister Opportunity Fund 2012 GP

Applicant: EHRA



D – Variances

Aerial



Application Number: 2020-0038

Plat Name: McAlister Opportunity Fund 2012 GP

Applicant: EHRA

Date Submitted: 01/13/2020

The applicant bears the burden of providing factual, material, and compelling evidence to support a variance request in the Statement of Facts ("SOF") below. The applicant must write a response to each of the statements as part of their application. Failure to do so will result in the application being deemed incomplete and not placed before the Planning Commission. The applicant may attach additional supporting documents to the application. P&D will not correct, revise, or edit the applicant's information. P&D will formulate its recommendation by evaluating the SOF's information, the additional information provided and any relevant information available to the Department.

(Sec. 42-47 and Sec. 42-81)

Specific Variance is being sought and extent of variance:

To not extend an east west or any north south public streets through the proposed McAlister Opportunity Fund 2012 GP tract that will result in a larger block length block between 4 existing major thoroughfares.

Chapter 42 Section: 127

Chapter 42 Reference:

42-127(a) A major thoroughfare shall intersect with a public local street, a collector street or another major thoroughfare at least every 2,600 feet.

Statement of Facts

(1a) The imposition of the terms, rules, conditions, policies and standards of this chapter would create an undue hardship by depriving the applicant of the reasonable use of the land; OR

The proposed McAlister Opportunity Fund 2012 GP is an industrial park located south of Highway 290 and south of the UPRR tracts. The tract of land is oddly shaped, resulting in two triangular shaped parcels of land. The tracts are bound by existing major thoroughfares Highway 290 on the North, Katy Hockley on the west, Mound Road on the South and Badtke Rd on the East. The proposed 225-acre tract of land is illustrated on the attached aerial exhibit. There is an existing residential subdivision of land to the east of the property that blocks the extension of an east /west local public street for approximately 2,322 feet along Katy Hockley Road. Therefore, negating the ability to extend an east west public street between Badtke Road and Katy Hockley Road. Additionally, the proposed warehouse/distribution land use of the Betka Logistics Park is incompatible with the existing residential subdivision which appears to have been constructed between 2000 and 2003 with an allowed block length of 2,000. The existing residential subdivision blocks the extension of an east west public street. That existing residential development appears to be constructed between 2000 and 2003 with an allowed block length of 2,000. The ability to extend a north south street south of 290 is blocked by the both the existing UPRR rail line as well as the odd shaped triangular shaped parcels.

(1b) Strict application would make this project infeasible due to the existence of unusual physical characteristics that affect the property in question, or would create an impractical development or one otherwise contrary to sound public policy;

(2) The circumstances supporting the granting of the variance are not the result of a hardship created or imposed by the applicant;

The developers of the proposed industrial park are purchasing all the property that is available between the Badtke, Mound and Katy Hockley Roads. The existing residential development was not developed by the developer of the proposed industrial park. The UPRR has a settlement agreement with Harris County to not provide a public crossing of US Highway 290 at grade. Therefore, extending the north-south street is preempted by the inability to create an at grade crossing of US290 due to this legal settlement agreement. This is not a self-imposed hardship.

(3) The intent and general purposes of this chapter will be preserved and maintained;

The proposed land use is an industrial park with all private streets to serve the trucks accessing the property. The Planning Commission has a policy to consider favorable variances for large single use tracts for industrial users. This project meets that policy. The applicant is providing dedication of ROW for all major thoroughfares that border the property. The developer is also coordinating dedication of Badtke Road on the west property line between Johnson Development to insure a uniform geometry and design. All thoroughfare alignments are being coordinated with Harris County

(4) The granting of the variance will not be injurious to the public health, safety or welfare;

Public health, safety, and welfare are not negatively impacted by granting this variance since local circulation will continue to be adequately provided by the four major thoroughfares that will be dedicated by the developer and construction coordinated with Harris County.

(5) Economic hardship is not the sole justification of the variance.

Justification for this variance is based on the proposed industrial park land use and the existing residential land use blocking the extension of an east/west public street. The block length between all 4 major thoroughfares is the result of the oddly shaped tracts of land and ownership but since the proposed land use is a single user industrial park, the traffic impact is minimal. Additionally, industrial park vehicles are not compatible with existing adjacent residential traffic patterns. Access to the proposed industrial park is all served from several proposed designated major thoroughfares.

Houston Planning Commission ITEM: 93

ITEM: 93

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: McAlister Opportunity Fund 2012 Sec 1

Applicant: EHRA



D – Variances

Subdivision

Houston Planning Commission

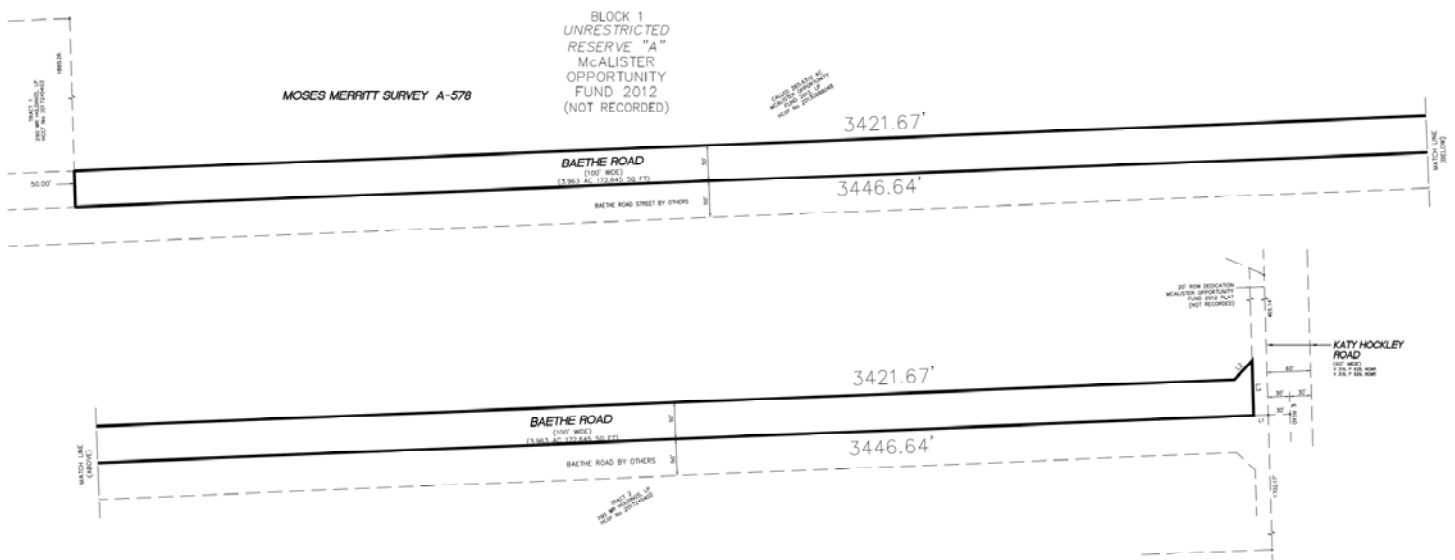
ITEM: 94

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Baethe Road Street Dedication

Applicant: EHRA



D – Variances

Subdivision

Houston Planning Commission

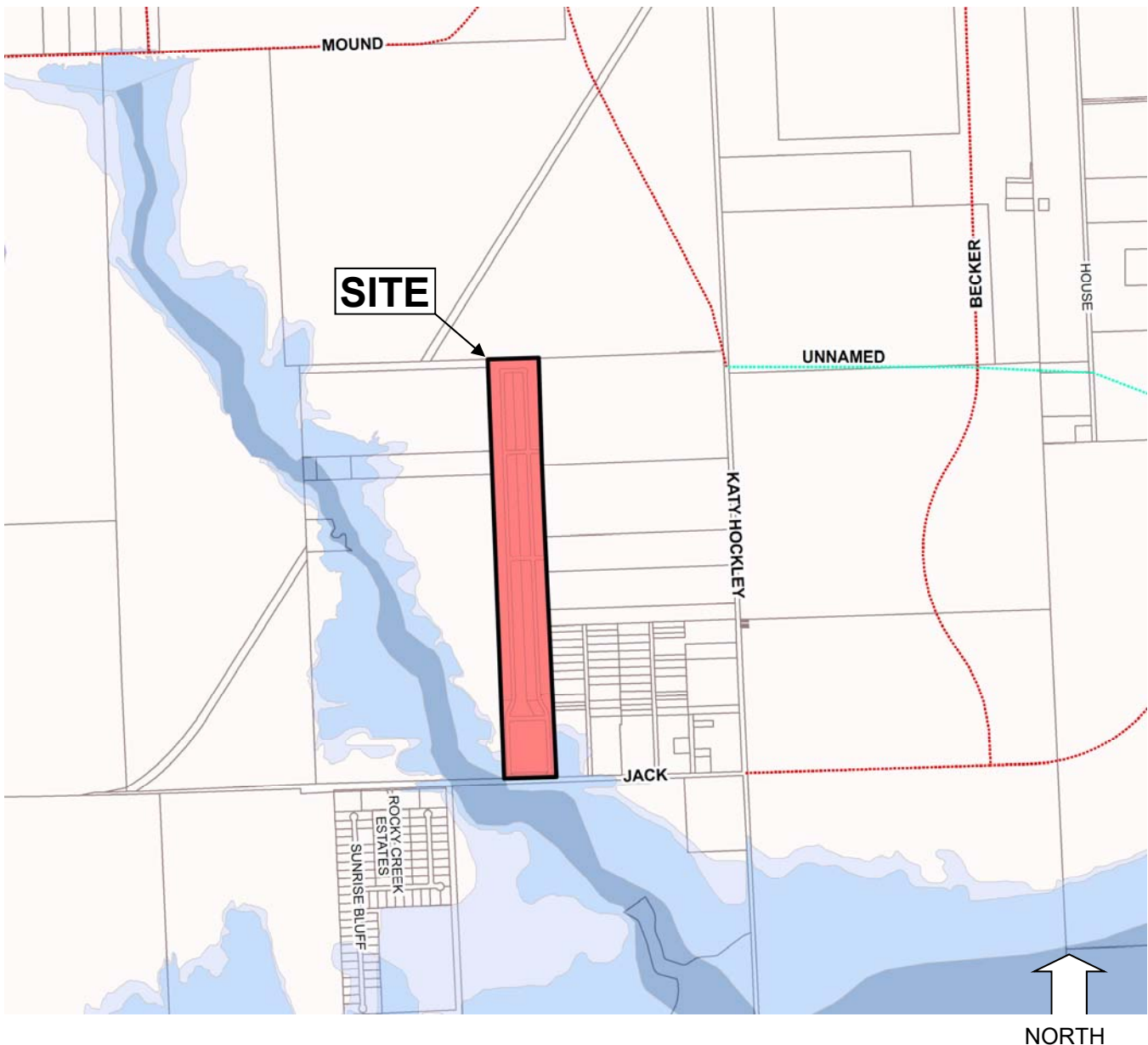
ITEM: 95

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Minero GP

Applicant: EHRA



D – Variances

Site Location

Houston Planning Commission

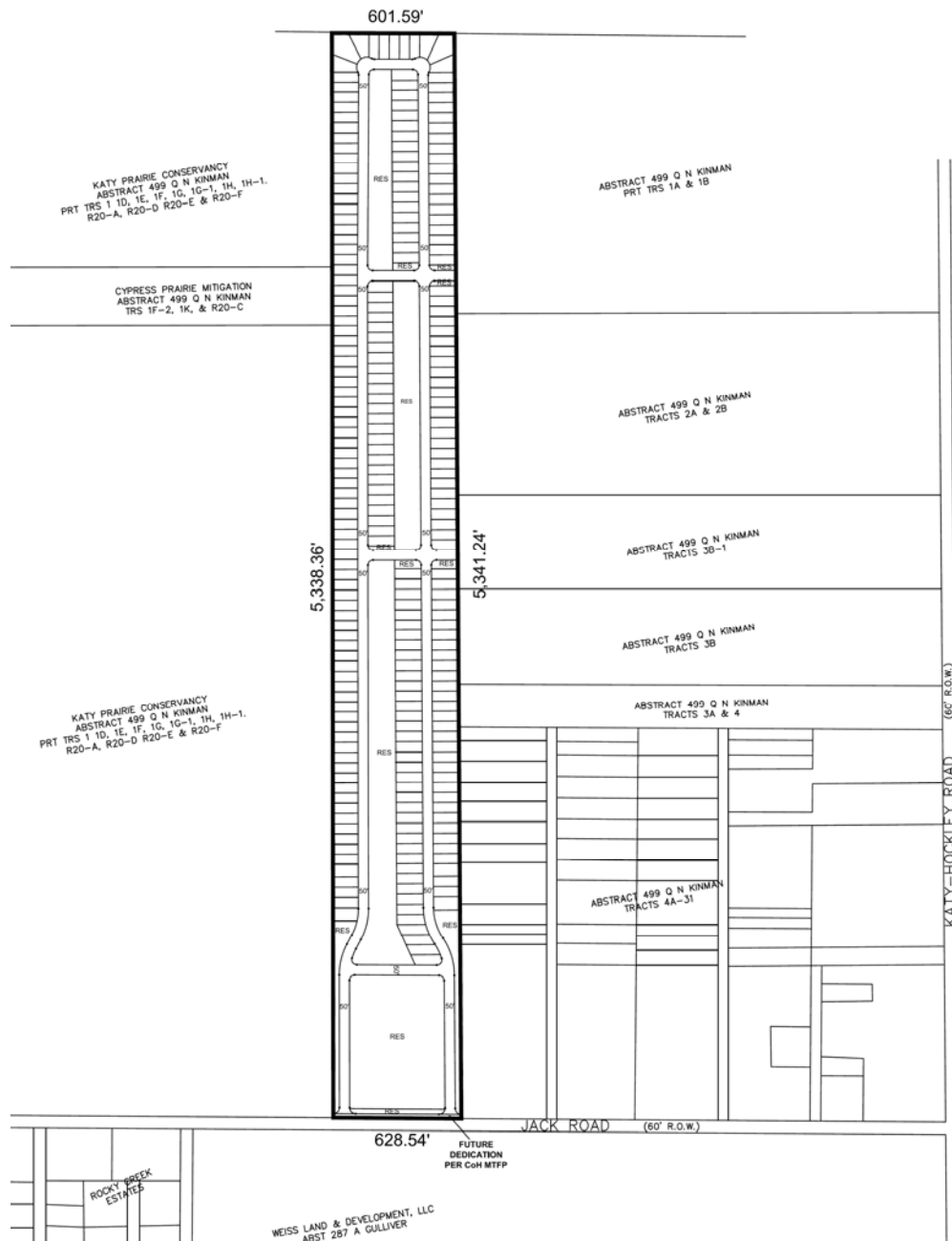
ITEM: 95

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Minero GP

Applicant: EHRA



D – Variances

Subdivision

Houston Planning Commission

ITEM: 95

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Minero GP

Applicant: EHRA



D – Variances

Aerial

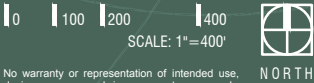


Minero GP Variance Exhibit

A 75± Acre Community located in Harris County, Texas.

EHRA JOB NO. 191-117-00
P:\191-117-00\Plat\GP\Minero GP_variance exhibit.dwg Jan 13, 2020-8:01am Edited by: cbrowne

January 13, 2020



No warranty or representation of intended use, design or proposed improvements are made herein. All Plans for land or facilities are subject to change without notice.



ENGINEERING THE FUTURE
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HOUSTON, TEXAS 77042
713.784.4500
WWW.EHRAINCCOM
TBPE No. F-726
TBPLS No. 10092300



Application Number: 2020-0032

Plat Name: Minero GP

Applicant: EHRA

Date Submitted: 01/13/2020

The applicant bears the burden of providing factual, material, and compelling evidence to support a variance request in the Statement of Facts ("SOF") below. The applicant must write a response to each of the statements as part of their application. Failure to do so will result in the application being deemed incomplete and not placed before the Planning Commission. The applicant may attach additional supporting documents to the application. P&D will not correct, revise, or edit the applicant's information. P&D will formulate its recommendation by evaluating the SOF's information, the additional information provided and any relevant information available to the Department.

(Sec. 42-47 and Sec. 42-81)

Specific Variance is being sought and extent of variance:

Variance to allow excessive block length spacing along the western, and eastern general plan boundaries.

Chapter 42 Section: 128

Chapter 42 Reference:

Intersections of local streets. (1) Each local street shall intersect with a street that meets the requirements of subsection (b) at least every 1,400 feet.

Statement of Facts

(1a) The imposition of the terms, rules, conditions, policies and standards of this chapter would create an undue hardship by depriving the applicant of the reasonable use of the land; OR

(1b) Strict application would make this project infeasible due to the existence of unusual physical characteristics that affect the property in question, or would create an impractical development or one otherwise contrary to sound public policy;

Please refer to the "Minero GP Variance Exhibit" submitted with this variance request. Minero Holdings GP is an approximately 75.39-acre tract located to the south of U.S. 290, west of major thoroughfare Katy Hockley Road, and north of major thoroughfare Jack Road. The subject tract has previously functioned as a privately owned and operated airfield. The applicant is requesting to not provide a street connection along the entire western boundary of the subject tract for a distance of 5,338.36 feet. The western property boundary borders property held by the Katy Prairie Conservancy. The Katy Prairie Conservancy is a nationally accredited non-profit organization based here in Houston. Providing a street connection along our western boundary would result in a dead-end street. The applicant is also requesting to not provide a street connection along the eastern property boundary for a distance of 2,775'. The tract to the east of the subject property reflects an unrecorded subdivision that does not allow for a future street connection. Essentially, providing a stub street would dead-end into the back of a platted single-family lot located in this unrecorded subdivision.

(2) The circumstances supporting the granting of the variance are not the result of a hardship created or imposed by the applicant;

The subject tract has been in this configuration prior to 1995 and was developed as a private airfield, measuring almost a mile. The Katy Prairie Conservancy abuts the entire western portion of the general plan boundary and has been in existence since 1995. The Conservancy will prevent the applicant from providing a through street to meet the Chapter 42 requirements for block length due to the sensitive environmental nature of the land being preserved. Based on HCAD records and the City of Houston map viewer there is an unplatted subdivision that abuts the eastern portion of the subject tract that will prohibit the applicant from meeting the 1400' block length requirement along the eastern GP boundary.

(3) The intent and general purposes of this chapter will be preserved and maintained;

With roughly 250 plus lots to be platted in the future, the owner is providing the two points of access that are required at to Jack Road, a major thoroughfare that directly connects to Katy Hockley Road and another major thoroughfare roughly 2,300' to the east. The applicant will provide the required widening dedication along Jack Road (a major thoroughfare) when the section plat is submitted. This will help facilitate traffic circulation for the future residential streets that will take access from Jack road and preserve the intent and general purposes of the residential requirements within Chapter 42.

(4) The granting of the variance will not be injurious to the public health, safety or welfare;

Public health, safety, and welfare are not negatively impacted by granting this variance. Local circulation will continue to be adequately provided by the two major thoroughfares that the subject tract will take access from in the future.

(5) Economic hardship is not the sole justification of the variance.

Justification for this variance is based on the character of future residential land use. The Katy Prairie Conservancy to the west of the subject tract creates the potential for unnecessary dead-end stub streets that will not provide additional circulation for local traffic. The unrecorded subdivision to the east of the subject tract limits the length of a stub street and will not provide an alternate traffic pattern in the immediate area. The inability to provide street access to the east and west of the subject tract is not an economic hardship created by the applicant.



Application Number: 2020-0032

Plat Name: Minero GP

Applicant: EHRA

Date Submitted: 01/13/2020

The applicant bears the burden of providing factual, material, and compelling evidence to support a variance request in the Statement of Facts ("SOF") below. The applicant must write a response to each of the statements as part of their application. Failure to do so will result in the application being deemed incomplete and not placed before the Planning Commission. The applicant may attach additional supporting documents to the application. P&D will not correct, revise, or edit the applicant's information. P&D will formulate its recommendation by evaluating the SOF's information, the additional information provided and any relevant information available to the Department.

(Sec. 42-48 and Sec. 42-82)

Specific requirement for which the special exception is being sought:

A Special Exception to allow less than 600' block length along a major thoroughfare.

Chapter 42 Section: 127

Chapter 42 Reference:

Sec. 42-127. Intersections of major thoroughfares (b) Intersections along a major thoroughfare shall be spaced a minimum of 600 feet apart.

Statement of Facts

(1) Special circumstances exist that are unique to the land or the proposed subdivision or development and that are not generally applicable to all other land, subdivision for development in the city or its extraterritorial jurisdiction that justify modification of the standards that would otherwise apply;

The property's width along Jack Road is a total of 628.54'. It is physically impossible for the applicant to meet the minimum 600' intersection spacing along a major thoroughfare while maintaining the required turning radius for a major thoroughfare. With a total width of 628.54' along Jack Road, and a required 30' turning radius at both eastern and western intersections, the distance between the edge of right-of-way is 468.54'. This is as close to the minimum 600' intersection spacing as the applicant can maintain.

(2) The proposed special exception will achieve a result contemplated by the standard in article III of Chapter 42 (Planning Standards);

Per 42-189 - Any subdivision that includes more than 150 lots shall have at least two points of access. This site is projected to yield approximately 250 lots, which requires two points of access.

(3) The modification of the standard requested is not disproportionate to the requirement of the standard;

The modification of 22% is not disproportionate because it is within the 33% requirement and additionally it is the maximum distance the applicant can provide and still maintain the required geometric standards for the turning radius of a major thoroughfare.

(4) The intent and general purposes of this chapter will be preserved and maintained;

Granting the special exception along Jack Road will preserve and maintain the Chapter 42 standards for multiple points of access.

(5) The granting of the special exception will not be injurious to the public health, safety or welfare.

Justification for this special exception is based on the character of future residential land use. With the amount of lots that will be created with future sections, there must be two points of access per Chapter 42 requirements. Without the special exception, the proposed development will be impractical and infeasible.

Houston Planning Commission

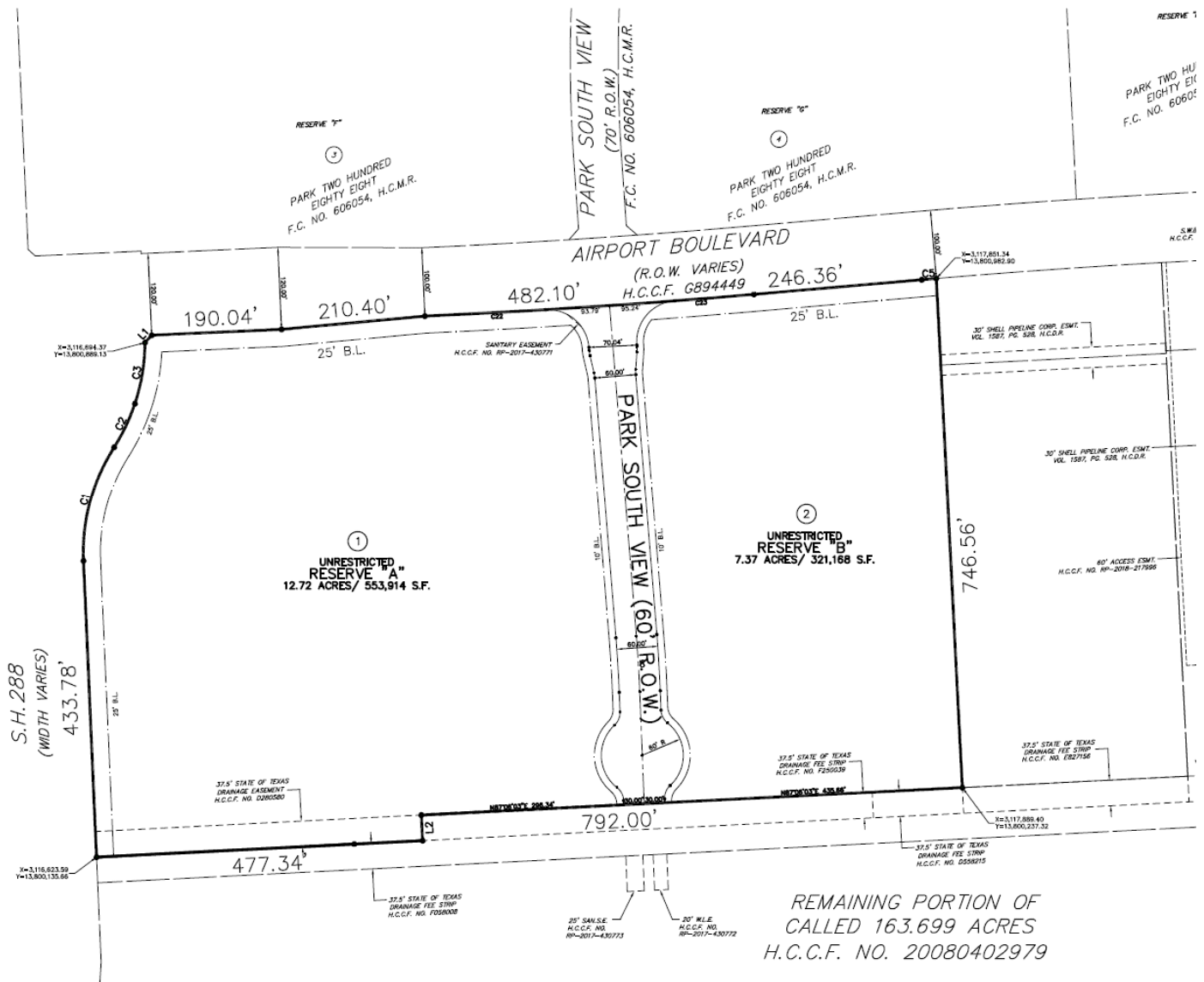
ITEM: 96

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Reserves on Airport Sec 1 replat no 1 and extension

Applicant: BGE, Inc.



D – Variances

Subdivision

Houston Planning Commission

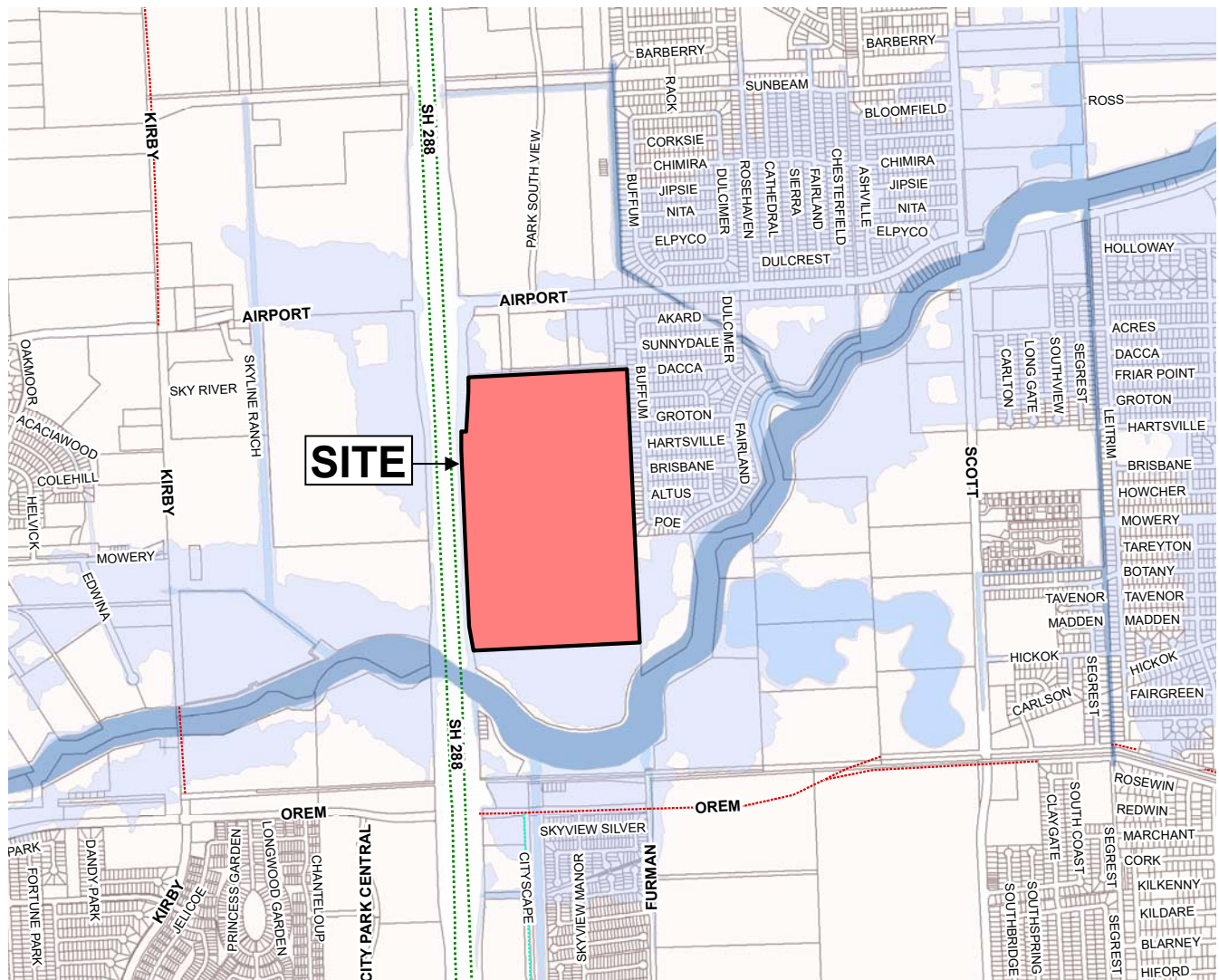
ITEM: 97

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Reserves on Airport Sec 2

Applicant: BGE, Inc.



D – Variances

Site Location

Houston Planning Commission

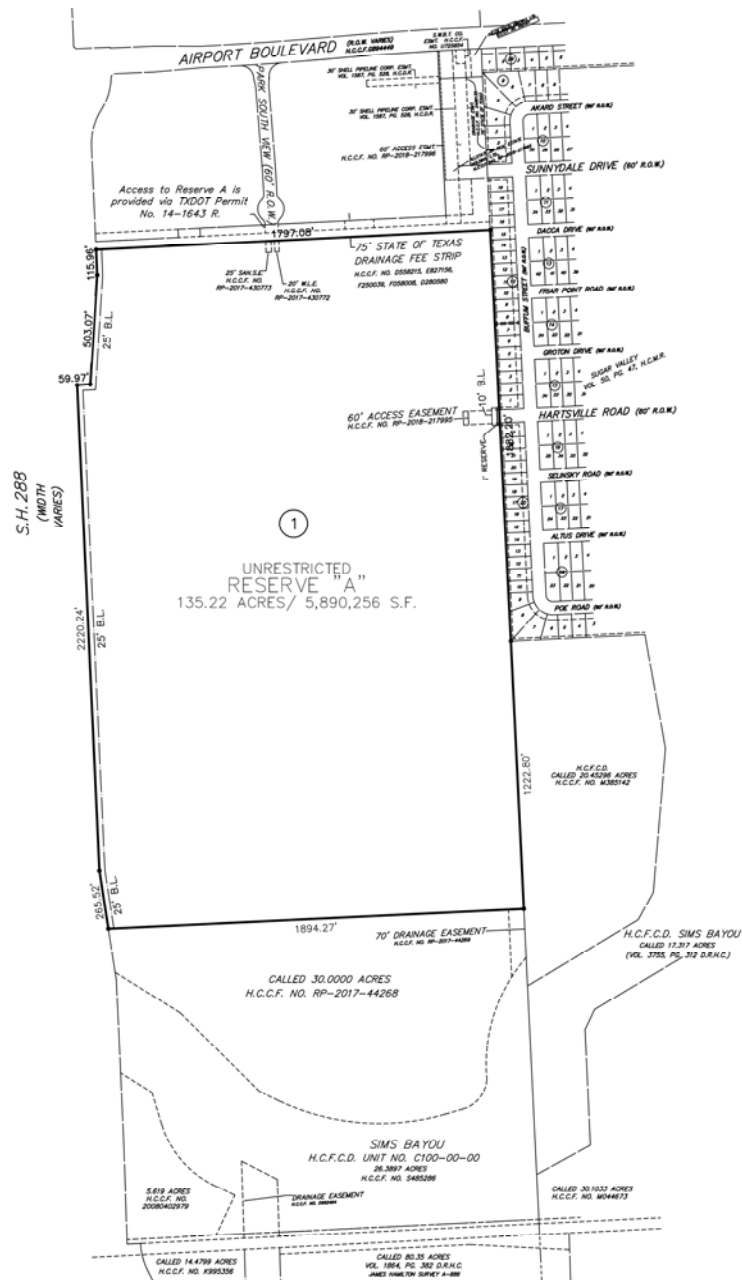
ITEM: 97

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Reserves on Airport Sec 2

Applicant: BGE, Inc.



D – Variances

Subdivision

Houston Planning Commission

ITEM: 97

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Reserves on Airport Sec 2

Applicant: BGE, Inc.



D – Variances

Aerial



PLANNING & DEVELOPMENT DEPARTMENT

APPLICANT'S Variance Request Form

Application Number: 2020-0009

Plat Name: Reserves on Airport Sec 2

Applicant: BGE, Inc. - Land Planning

Date Submitted: 01/10/2020

The applicant bears the burden of providing factual, material, and compelling evidence to support a variance request in the Statement of Facts ("SOF") below. The applicant must write a response to each of the statements as part of their application. Failure to do so will result in the application being deemed incomplete and not placed before the Planning Commission. The applicant may attach additional supporting documents to the application. P&D will not correct, revise, or edit the applicant's information. P&D will formulate its recommendation by evaluating the SOF's information, the additional information provided and any relevant information available to the Department.

(Sec. 42-47 and Sec. 42-81)

Specific Variance is being sought and extent of variance:

To allow an unrestricted reserve to take access from a private driveway located within a TXDOT fee strip in lieu of a public street.

Chapter 42 Section: 190

Chapter 42 Reference:

42-190. Tracts for non-single-family use – Reserves. (c) Each reserve shall meet the following requirements for minimum size, the type and width of street or shared driveway on which it may be located, and the minimum frontage, as applicable to the type of reserve: Unrestricted Reserve: Minimum size: 5,000 Sq. Ft.; Type of Street or Shared Driveway: Public Street; Minimum Street or Shared Driveway width: 60-foot R.O.W.; Minimum Street or Shared Driveway Frontage: 60 feet of frontage

Statement of Facts

(1a) The imposition of the terms, rules, conditions, policies and standards of this chapter would create an undue hardship by depriving the applicant of the reasonable use of the land; OR

(1b) Strict application would make this project infeasible due to the existence of unusual physical characteristics that affect the property in question, or would create an impractical development or one otherwise contrary to sound public policy;

The subject tract consists of approximately 135 acres and is located north of Sims Bayou, east of S.H. 288, and south of Airport Boulevard, north of Orem Drive, and west of Scott Street. Access to the property by S.H. 288 is denied by TXDOT through a court judgment in 1972, and as a result, the only access to the proposed development is through the proposed Reserves on Airport Sec 1 partial replat and extension. There is an existing 75-foot TXDOT fee strip separating the proposed plat from Reserves on Airport Sec 1. The TXDOT right of way functions as a drainage channel providing a connection to the drainage facilities along S.H. 288. If the TXDOT fee strip did not exist, or was an easement in lieu of fee ownership, the subject plat could be submitted as one unrestricted reserve and a variance would not be required. Additionally, access is denied to S.H. 288 at this location. As specified in the TXDOT Permit No. 14-1643 R the fee strip is considered part of the S.H. 288 right of way by TXDOT. Vehicular access will be provided by a private drive established by the creation of a box culvert and vehicular crossing over the 75-foot fee strip granted via TXDOT Permit No. 14-1643 R.

(2) The circumstances supporting the granting of the variance are not the result of a hardship created or imposed by the applicant;

The variance is not the result of a hardship created or imposed by the applicant. The circumstances supporting the request for the variance are based upon the denial of access by TXDOT to S.H. 288 and the fee strip that separates the two sections.

(3) The intent and general purposes of this chapter will be preserved and maintained;

Granting of the variance will preserve the intent and general purposes of the subdivision ordinance. Access to S.H. 288 is denied at this location, allowing access via the permitted culvert crossing across the TXDOT fee strip is only triggered by the existence of the TXDOT fee strip that separates Reserves on Airport Sec 1 replat no 1 and extension from Reserves on Airport Sec 2.

(4) The granting of the variance will not be injurious to the public health, safety or welfare;

The granting of the variance will not be injurious to the public health, safety or welfare. Adequate circulation in the surrounding area will be provided by S.H. 288, Airport Boulevard, Scott Street, and Orem Drive.

(5) Economic hardship is not the sole justification of the variance.

Economic hardship is not the sole justification of the variance. The justification for the variance is TXDOT's access denial to S.H. 288 and the TXDOT fee strip that separates the northern plat from the southern plat.



CITY OF HOUSTON

Planning and Development

Sylvester Turner

Mayor

Margaret Wallace Brown
Director
P.O. Box 1562
Houston, Texas 77251-1562

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www.houstontx.gov

January 16, 2020

NOTICE OF VARIANCE REQUEST

PROJECT NAME: Reserves on Airport Sec 2

REFERENCE NUMBER: 2020-0009

VAR

Dear Property Owner:

The Planning and Development Department has received a subdivision application with a variance request for a property located along Highway 288 South of Airport Blvd. You are receiving this letter because you are listed in the Harris County Appraisal District records as a neighboring owner for property that falls within the Chapter 42 required notification area adjacent to this variance request.

BGE, Inc. - Land Planning, the applicant, has filed the request on behalf of the developer of the subject site. The applicant is requesting a variance to allow an unrestricted reserve to take access from a private driveway located within a TXDOT fee strip in lieu of a public street.

The Planning and Development Department staff is currently reviewing this application and will present a recommendation to the Houston Planning Commission. The Commission is the non-legislative body authorized to review and render decisions on subdivision applications and requests. The meeting at which this item will first be considered is listed below. A sign with this information has also been posted on the project site.

PLANNING COMMISSION MEETING INFORMATION:

Thursday January 23, 2020, beginning at 2:30 p.m.

City Hall Annex Building, 900 Bagby Street

City Council Chamber, Public Level, Houston, Texas

Members of the public may attend the meeting to make comments or express concerns about the proposed project. For additional information regarding this project, please call Andrew Lang of BGE, Inc. - Land Planning at 281-558-8700. You may also contact Homero Guajardo with the Planning and Development Department regarding this notice via email at planning.variances@houstontx.gov or call (832)393-6600. To view the complete Planning Commission meeting agenda, go to www.houstonplanning.com. Information on the reverse side of this page explains more about the terminology used in this letter. **Para más información acerca de este documento, favor de llamar al Departamento de Planificación y Desarrollo al 832-393-6659.**

TERMINOLOGY

- **CHAPTER 42:** The City of Houston's, Code of Ordinances that describes the rules and regulations for subdividing property within the corporate limits and the extraterritorial jurisdiction.
- **EXTRATERRITORIAL JURISDICTION (ETJ):** Represents the area extending beyond Houston's corporate limits approximately five miles into the unincorporated areas of Harris, Fort Bend, Liberty, Montgomery, and Waller counties.
- **SUBDIVISION PLAT:** A graphical presentation of a particular surveyed tract of land laying out street rights-of-way, lots and reserves, building setback lines, and easements which must comply with the development requirements of the City of Houston's, Code of Ordinances, Chapter 42. These regulations, adopted by City Council, are intended to promote the safe, orderly and healthy development of the City and its extraterritorial jurisdiction. The approved map subsequently may be filed and recorded with the appropriate county clerk's office as the official map of record for this property.
- **SUBDIVISION REPLAT:** Is simply a subdivision plat that further subdivides an existing subdivision plat. Typically, a replat will make changes to the layout of lots, reserves, building setback lines and easements.
- **VARIANCE:** A deviation from strict compliance with the rules and regulations of Chapter 42. The applicant must document a reasonable hardship that staff can evaluate.
- **SPECIAL EXCEPTION:** A commission-approved adjustment to the certain standards of Chapter 42. The applicant must document existing special circumstances unique to the land that justify modification of the development standards.

PLANNING COMMISSION BODY, AUTHORITY AND OBLIGATION

- The Houston Planning Commission is a non-legislative body authorized to govern the subdivision rules and regulations described in Chapter 42. The Commission consists of 25 members and meets every two weeks per their adopted Commission meeting schedule.

PLANNING DEPARTMENT STAFF, AUTHORITY AND OBLIGATION

- Development Services Division reviews subdivision plats, replats and development plats for compliance with the rules and regulations described in Chapter 42. Development plats must also comply with Chapter 26 (Off-street Parking and Loading) and Chapter 33 (Trees, Shrubs and Screening Fences).

CITY OF HOUSTON SEC. 42-82 AND 42-83

- Notification to property owners within 250 feet of certain proposed development applications with a requested variance is required. The proposed development must be located within the city limits.

PROPERTY OWNERSHIP INFORMATION

- For notification purposes, property ownership information and property owner mailing addresses are obtained from the most recent property tax rolls of the county in which the property is located.
- Addressed envelopes and postage are provided by the applicant.

Houston Planning Commission

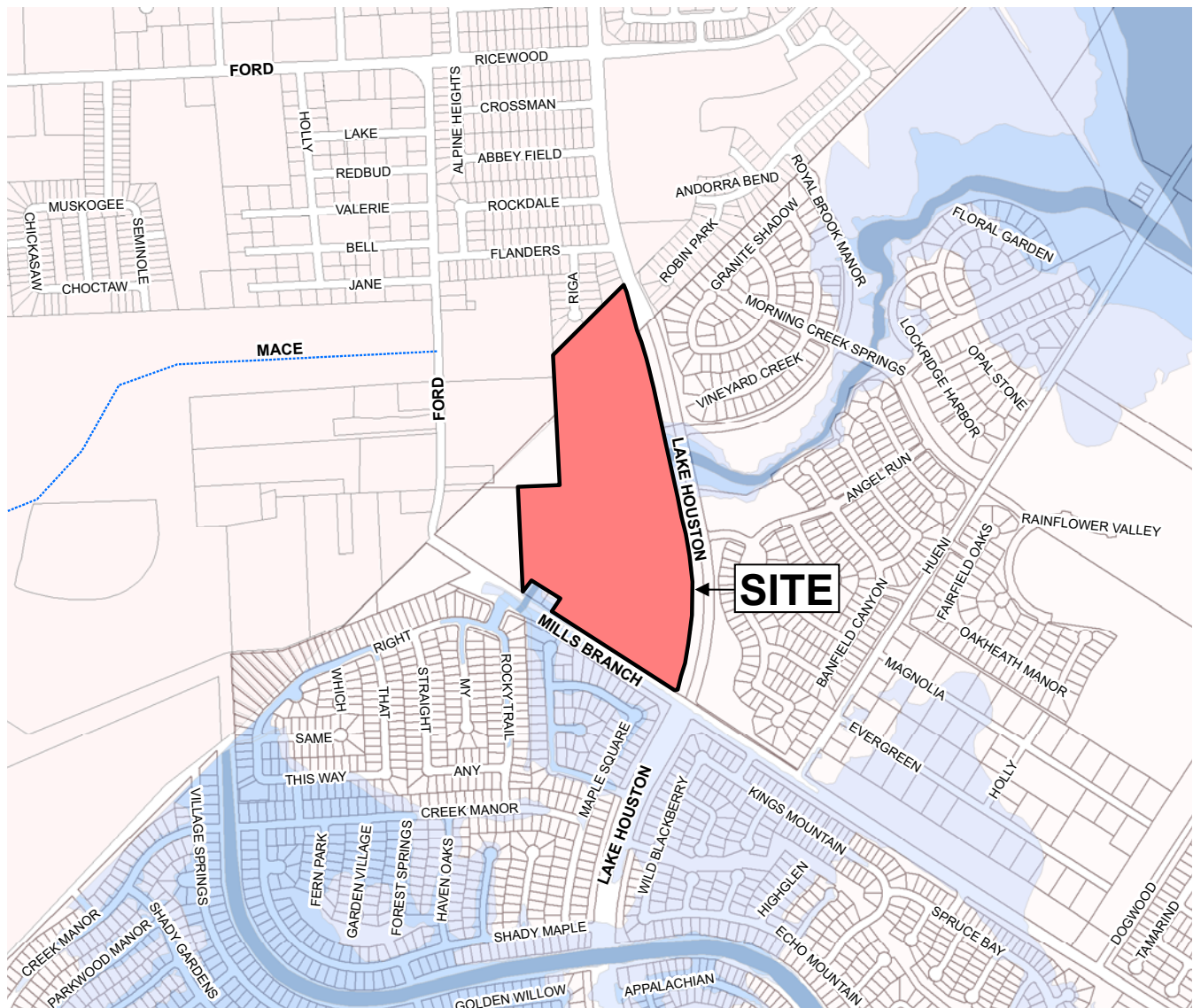
ITEM: 98

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Royal Brook at Kingwood Mills Branch Reserve

Applicant: Jones and Carter



D – Variances

Site Location

Houston Planning Commission

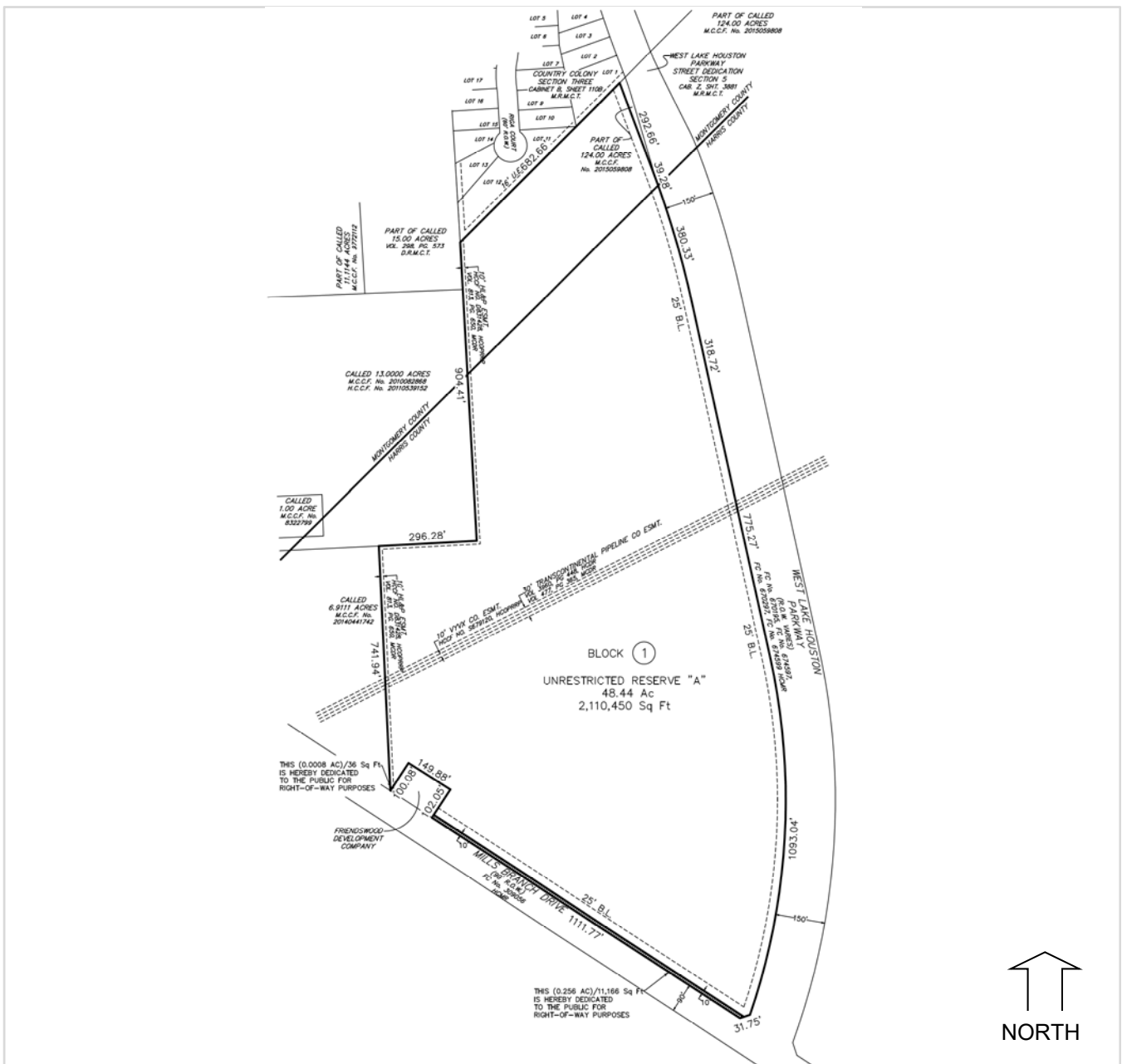
ITEM: 98

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Royal Brook at Kingwood Mills Branch Reserve

Applicant: Jones and Carter



D – Variances

Subdivision

Houston Planning Commission

ITEM: 98

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Royal Brook at Kingwood Mills Branch Reserve

Applicant: Jones and Carter



D – Variances

Aerial



PLANNING & DEVELOPMENT DEPARTMENT

APPLICANT'S Variance Request Form

Application Number: 2020-0023

Plat Name: Royal Brook at Kingwood Mills Branch Reserve

Applicant: Jones|Carter - Woodlands Office

Date Submitted: 01/11/2020

The applicant bears the burden of providing factual, material, and compelling evidence to support a variance request in the Statement of Facts ("SOF") below. The applicant must write a response to each of the statements as part of their application. Failure to do so will result in the application being deemed incomplete and not placed before the Planning Commission. The applicant may attach additional supporting documents to the application. P&D will not correct, revise, or edit the applicant's information. P&D will formulate its recommendation by evaluating the SOF's information, the additional information provided and any relevant information available to the Department.

(Sec. 42-47 and Sec. 42-81)

Specific Variance is being sought and extent of variance:

To exceed 1,400' intersection spacing along the site's western boundary by not providing an east west street

Chapter 42 Section: 42-128 a 1

Chapter 42 Reference:

Each local street shall intersect with a street that meets the requirements of subsection(b) at least every 1,400 feet;

Statement of Facts

(1a) The imposition of the terms, rules, conditions, policies and standards of this chapter would create an undue hardship by depriving the applicant of the reasonable use of the land; OR

(1b) Strict application would make this project infeasible due to the existence of unusual physical characteristics that affect the property in question, or would create an impractical development or one otherwise contrary to sound public policy;

The site is located both in the City of Houston's city limits and ETJ- Montgomery County and is also part of the current approved GP for Royal Brook at Kingwood (2015-1472). The irregularly-shaped property has frontage along designated major thoroughfares N Lake Houston (along its eastern boundary), and Mills Branch Road (along its southern eastern boundary), and is also bisected diagonally by multiple pipelines. The 2015 GP received a special exception to exceed 2,600' intersection spacing requirements along the eastern side of N Lake Houston from Ricewood Drive to Royal Brook Manor Drive. With this plat submission, the developer is requesting a similar special exception for the western side of N Lake Houston from Flanders Drive to Mills Branch. The variance request also being presented with this proposed plat is to exceed 1,400' intersection spacing along the site's western boundary but not providing an east-west public street through the site. The proposed reserve exists within a rectangular grid comprised of north – south ROWs N Lake Houston (major thoroughfare) and Ford Road (major collector) and east-west ROWs Mills Branch and Ricewood Drive (both designated thoroughfares). This existing grid adequately addresses traffic circulation for development along the western side of N Lake Houston. Any required east-west public street would impact the adjacent floodplain of Mills Branch Creek and would require fill to elevate the roadway further displacing flood waters. Further, the developer does not own additional property to the west that would facilitate a public street connection to Ford Road. Property immediately west of this tract are owned by Humble ISD and AR&P, LLC and do not offer any opportunity for a public street connection. The property owned by AR&P, LLC is developed with warehouse structure and used for boat and RV storage. Should the Planning Commission grant this requested variance, the resulting intersection spacing along Ford Road from Flanders Road to Mills Branch will be approximately 1,970'.

(2) The circumstances supporting the granting of the variance are not the result of a hardship created or imposed by the applicant;

The proposed reserve exists within a rectangular grid comprised of north – south ROWs N Lake Houston (major thoroughfare) and Ford Road (major collector) and east-west ROWs Mills Branch and Ricewood Drive (both designated thoroughfares). Flanders Road and Ricewood Drive provide east-west public street connections to N Lake Houston and Ford Road for the existing single family residential development to the north of the subject tract. Property immediately west of the site, which is not owned by the developer, has sufficient access and frontage on Ford Road, and do not offer an opportunity for a public street connection. Any required east-west public street would impact the adjacent floodplain of Mills Branch Creek and would require fill to elevate the roadway further displacing flood waters.



**PLANNING &
DEVELOPMENT
DEPARTMENT**

**APPLICANT'S
Special Exception Request Form**

Application Number: 2020-0023

Plat Name: Royal Brook at Kingwood Mills Branch Reserve

Applicant: Jones|Carter - Woodlands Office

Date Submitted: 01/11/2020

The applicant bears the burden of providing factual, material, and compelling evidence to support a variance request in the Statement of Facts ("SOF") below. The applicant must write a response to each of the statements as part of their application. Failure to do so will result in the application being deemed incomplete and not placed before the Planning Commission. The applicant may attach additional supporting documents to the application. P&D will not correct, revise, or edit the applicant's information. P&D will formulate its recommendation by evaluating the SOF's information, the additional information provided and any relevant information available to the Department.

(Sec. 42-48 and Sec. 42-82)

Specific requirement for which the special exception is being sought:

To exceed 2,600' intersection spacing along N Lake Houston Boulevard- a designated major thoroughfare

Chapter 42 Section: 42-127a

Chapter 42 Reference:

A major thoroughfare shall intersect with a public local street, a collector street or another major thoroughfare at least every 2,600 feet.

Statement of Facts

(1) Special circumstances exist that are unique to the land or the proposed subdivision or development and that are not generally applicable to all other land, subdivision for development in the city or its extraterritorial jurisdiction that justify modification of the standards that would otherwise apply;

The site is located both in the City of Houston's city limits and ETJ- Montgomery County and is also part of the current approved GP for Royal Brook at Kingwood (2015-1472). The irregularly-shaped property has frontage along designated major thoroughfare N Lake Houston along its eastern boundary and Mills Branch Road along its southern eastern boundary. It is also bisected by a multiple pipelines. The 2015 GP received a special exception to exceed 2,600' intersection spacing requirements along the eastern side of N Lake Houston from Ricewood Drive to Royal Brook Manor Drive. With this submission, the developer would like to request a similar special exception for the western side of N Lake Houston from Flanders Drive to Mills Branch – a distance of approximately 3,238' to not provide an east-west public street through the site. The existing grid comprises of north – south ROWs N Lake Houston (major thoroughfare) and Ford Road (major collector) and east-west ROWs Mills Branch and Ricewood Drive (both designated thoroughfares) adequately address traffic circulation for development along the western side of N Lake Houston. Any required east-west public street would impact the adjacent floodplain of Mills Branch Creek and would require fill to elevate the roadway further displacing flood waters. Flanders Road and Ricewood Drive provide east-west public street connections to N Lake Houston and Ford Road for the existing single family residential development to the north of the subject tract. Therefore, requiring an additional east-west public street will not significantly improve traffic circulation immediately surrounding the site. Further, the developer does not own additional property to the west that would facilitate a public street connection to Ford Road. Property immediately west of this tract are owned by Humble ISD and AR&P, LLC and have adequate frontage and access to Ford Road. The property owned by AR&P, LLC is developed with warehouse structure and used for boat and RV storage.

(2) The proposed special exception will achieve a result contemplated by the standard in article III of Chapter 42 (Planning Standards);

The proposed reserve exists within a rectangular grid comprised of north – south ROWs N Lake Houston (major thoroughfare) and Ford Road (major collector) and east-west ROWs Mills Branch and Ricewood Drive (both designated thoroughfares). Flanders Road and Ricewood Drive provide east-west public street connections to N Lake Houston and Ford Road for the existing single family residential development to the north of the subject tract. Property immediately west of the site, which is not owned by the developer, has sufficient access and frontage on Ford Road, and do not offer an opportunity for a public street connection. Requiring an additional east-west public street through the site will not significantly improve traffic circulation and distribution, which is addressed by the existing major thoroughfare grid and street network.

(3) The modification of the standard requested is not disproportionate to the requirement of the standard;

Along the west side of N Lake Houston from the distance from Flanders Drive to Mills Branch is approximately 3,238' which represents 24% deviation from the standard.

(4) The intent and general purposes of this chapter will be preserved and maintained;

The existing grid comprises of north – south ROWs N Lake Houston (major thoroughfare) and Ford Road (major collector) and east-west ROWs Mills Branch and Ricewood Drive (both designated thoroughfares) adequately address traffic circulation for development along the western side of N Lake Houston.

(5) The granting of the special exception will not be injurious to the public health, safety or welfare.

The existing grid of major thoroughfares N Lake Houston, Ricewood Drive and Mills Branch and Ford Road (major collector) adequately address traffic circulation for development along the western side of N Lake Houston. Any required east-west public street would impact the adjacent floodplain of Mills Branch Creek and would require fill to elevate the roadway further displacing flood waters. Further, the developer does not own additional property to the west that would facilitate a public street connection to Ford Road. Property immediately west of this tract are owned by Humble ISD and AR&P, LLC and do not offer any opportunity for a public street connection. The property owned by AR&P, LLC is developed with warehouse structure and used for boat and RV storage.



CITY OF HOUSTON

Planning and Development

Sylvester Turner

Mayor

Margaret Wallace Brown
Director
P.O. Box 1562
Houston, Texas 77251-1562

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www.houstontx.gov

January 16, 2020

NOTICE OF VARIANCE REQUEST

PROJECT NAME: Royal Brook at Kingwood Mills Branch Reserve

REFERENCE NUMBER: 2020-0023

VAR/SE

Dear Property Owner:

The Planning and Development Department has received a subdivision application with a variance request for a property located along Lake Houston Pkwy north of Mills Branch Drive. You are receiving this letter because you are listed in the Harris County Appraisal District records as a neighboring owner for property that falls within the Chapter 42 required notification area adjacent to this variance request.

Jones|Carter, the applicant, has filed the request on behalf of the developer of the subject site. The applicant is requesting a special exception to exceed 2,600' intersection spacing along N Lake Houston Boulevard- a designated major thoroughfare and a variance to exceed 1,400' intersection spacing along the site's western boundary by not providing an east west street.

The Planning and Development Department staff is currently reviewing this application and will present a recommendation to the Houston Planning Commission. The Commission is the non-legislative body authorized to review and render decisions on subdivision applications and requests. The meeting at which this item will first be considered is listed below. A sign with this information has also been posted on the project site.

PLANNING COMMISSION MEETING INFORMATION:

Thursday January 23, 2020, beginning at 2:30 p.m.

City Hall Annex Building, 900 Bagby Street

City Council Chamber, Public Level, Houston, Texas

Members of the public may attend the meeting to make comments or express concerns about the proposed project. For additional information regarding this project, please call Mikalla Hodges of Jones|Carter at 281-363-4039. You may also contact Homero Guajardo with the Planning and Development Department regarding this notice via email at planning.variances@houstontx.gov or call (832)393-6600. To view the complete Planning Commission meeting agenda, go to www.houstonplanning.com. Information on the reverse side of this page explains more about the terminology used in this letter. **Para más información acerca de este documento, favor de llamar al Departamento de Planificación y Desarrollo al 832-393-6659.**

TERMINOLOGY

- **CHAPTER 42:** The City of Houston's, Code of Ordinances that describes the rules and regulations for subdividing property within the corporate limits and the extraterritorial jurisdiction.
- **EXTRATERRITORIAL JURISDICTION (ETJ):** Represents the area extending beyond Houston's corporate limits approximately five miles into the unincorporated areas of Harris, Fort Bend, Liberty, Montgomery, and Waller counties.
- **SUBDIVISION PLAT:** A graphical presentation of a particular surveyed tract of land laying out street rights-of-way, lots and reserves, building setback lines, and easements which must comply with the development requirements of the City of Houston's, Code of Ordinances, Chapter 42. These regulations, adopted by City Council, are intended to promote the safe, orderly and healthy development of the City and its extraterritorial jurisdiction. The approved map subsequently may be filed and recorded with the appropriate county clerk's office as the official map of record for this property.
- **SUBDIVISION REPLAT:** Is simply a subdivision plat that further subdivides an existing subdivision plat. Typically, a replat will make changes to the layout of lots, reserves, building setback lines and easements.
- **VARIANCE:** A deviation from strict compliance with the rules and regulations of Chapter 42. The applicant must document a reasonable hardship that staff can evaluate.
- **SPECIAL EXCEPTION:** A commission-approved adjustment to the certain standards of Chapter 42. The applicant must document existing special circumstances unique to the land that justify modification of the development standards.

PLANNING COMMISSION BODY, AUTHORITY AND OBLIGATION

- The Houston Planning Commission is a non-legislative body authorized to govern the subdivision rules and regulations described in Chapter 42. The Commission consists of 25 members and meets every two weeks per their adopted Commission meeting schedule.

PLANNING DEPARTMENT STAFF, AUTHORITY AND OBLIGATION

- Development Services Division reviews subdivision plats, replats and development plats for compliance with the rules and regulations described in Chapter 42. Development plats must also comply with Chapter 26 (Off-street Parking and Loading) and Chapter 33 (Trees, Shrubs and Screening Fences).

CITY OF HOUSTON SEC. 42-82 AND 42-83

- Notification to property owners within 250 feet of certain proposed development applications with a requested variance is required. The proposed development must be located within the city limits.

PROPERTY OWNERSHIP INFORMATION

- For notification purposes, property ownership information and property owner mailing addresses are obtained from the most recent property tax rolls of the county in which the property is located.
- Addressed envelopes and postage are provided by the applicant.

Houston Planning Commission

ITEM: 99

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Scott Street Lofts

Applicant: Total Surveyors, Inc.



D – Variances

Site Location

Houston Planning Commission

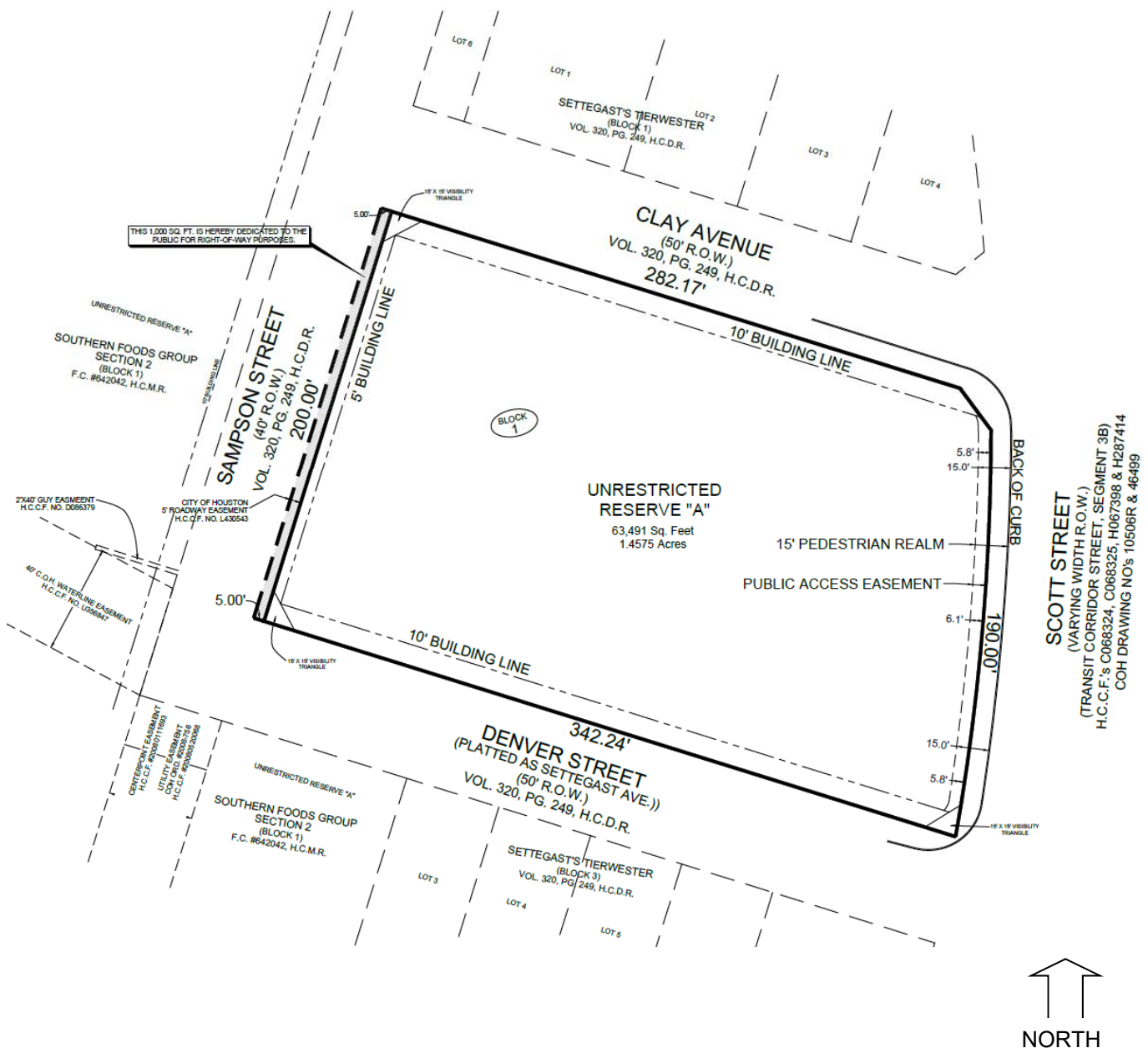
ITEM: 99

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Scott Street Lofts

Applicant: Total Surveyors, Inc.



D – Variances

Subdivision

Houston Planning Commission

ITEM: 99

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Scott Street Lofts

Applicant: Total Surveyors, Inc.



D – Variances

Aerial



Application Number: 2020-0072

Plat Name: Scott Street Lofts

Applicant: Total Surveyors, Inc.

Date Submitted: 01/13/2020

The applicant bears the burden of providing factual, material, and compelling evidence to support a variance request in the Statement of Facts ("SOF") below. The applicant must write a response to each of the statements as part of their application. Failure to do so will result in the application being deemed incomplete and not placed before the Planning Commission. The applicant may attach additional supporting documents to the application. P&D will not correct, revise, or edit the applicant's information. P&D will formulate its recommendation by evaluating the SOF's information, the additional information provided and any relevant information available to the Department.

(Sec. 42-47 and Sec. 42-81)

Specific Variance is being sought and extent of variance:

To only create a 5' building line along Sampson Street, instead of the required 10' building line.

Chapter 42 Section: **Sec. 42-155**

Chapter 42 Reference:

Sec. 42-155. - Collector and local streets—Uses other than single-family residential. (a) The building line requirement for a tract used or to be used for other than single-family residential purposes adjacent to a street that is a collector street or local street that is not an alley shall be ten feet unless otherwise required or authorized by this chapter.

Statement of Facts

(1a) The imposition of the terms, rules, conditions, policies and standards of this chapter would create an undue hardship by depriving the applicant of the reasonable use of the land; OR

This proposed site is located along Scott Street, a Transit Corridor Street, and is bounded on the other three sides by Denver Street, Sampson Street and Clay Street. The site is currently developed with a sheet metal commercial building, built originally in 1970 with additions, along with concrete parking. The future site to be known as, Scott Street Lofts is proposed as a newly constructed 123-unit affordable apartment community for seniors 55 and older in the East Downtown area of Houston, Texas. This complex will be comprised of a five-story, elevator served building containing an amenity center and approximately 123 units. The ground floor will contain the amenity center, pool, and parking, with 4 stories of apartment units stacked above. Scott Street Lofts is an affordable multifamily development with 123 units for seniors 55 and older. The project will be financed with an allocation of 4% Housing Tax Credits and Private Activity Bonds from the Texas Department of Housing and Community Affairs. The project also received an allocation of Hurricane Harvey CDBG-DR funds from the City of Houston Department of Housing and Community Development. Each apartment unit will include nine-foot ceilings, a full energy star appliance package, washer/dryer hookups and all living rooms and bedrooms will have ceiling fans. All units will have balconies. The buildings will be designed to maximize energy efficiency. The design will feature 100% masonry exterior (brick, cultured stone, stucco and/or hardi), architectural roofing, smoke detectors, and wiring for phone, cable and data service (CAT5e). All parking will be covered on the ground floor, behind security gates for the safety of the residents. The amenity center will include several community areas, such as: . an ample sized community room for gatherings, resident meetings, and special social events; . a computer lab/business center with internet access; . an equipped fitness room; . a community laundry room; . offices for staff; and . maintenance office/workroom/storage. A swimming pool will be included for use by residents. Scott Street Lofts does intend to opt into and design according to the performance standards for a Transit Corridor Development, along Scott Street. The accessibility to the transit corridor is a huge benefit to the residents of this development. Great improvements will be made not only to the 15' Pedestrian Realm, but also to the other surrounding rights-of-way. Enhanced landscaping, 4' pedestrian buffer from the pavement section with min. 6' concrete sidewalks, lighting and other amenities will be an added benefit to the proposed apartments, as well as, the public, as this area begins to transition with the new development in the area. As a potential hardship to the design of a site plan for this project, there is a dedicated public right-of-way on all 4 sides of this site. On the north and south side of this project we intend to honor the required 10' building line. On the west side of the Scott Street Lofts project is Sampson Street, a 40' wide dedicated public right-of-way. The City of Houston granted a variance in 2004 to Oak Farms Dairy, to not require the dedication of any right-of-way along Sampson Street, from its intersection with Denver Street, north to Polk Street. In 1987, the City of Houston received a roadway easement of 5' along a 100' section of Sampson Street, within this tract of land. With this plat we intend to dedicate to the public, that portion of the roadway easement and extend the 5' dedication from Denver Street to Clay Street. Which would create a 45' wide dedicated public right-of-way. With the 5' dedication to improve the Sampson Street right-of-way, from our side and the fact that Oak Farms did not dedicate any right-of-way along the west side of Sampson, we request the 5' building line. The Sampson Street right-of-way was

dedicated to the public, by subdivision plat, in 1914, as a 40' wide right-of-way. Over the years, Sampson Street and most streets in the immediate area have been developed primarily as commercial properties, with a few single family homes, along all block faces. The current paving width for Sampson Street is 20.0' wide. Sampson Street is an asphalt street. The building will sit approximately 21'5" from the edge of the travel lanes of Sampson Street. This will allow for a minimum of a 4' pedestrian buffer with minimum 6' wide concrete sidewalk to be built within the Sampson Street Right-of-way and still allow for a 10' of green space between the building and the sidewalk. This development will honor all ordinance building lines, along Clay Street and Denver Street, as well as the visibility triangles at each intersection, so as not to obstruct visibility or create any public safety issues for the adjacent area. By granting the variance and allowing the proposed tract of land to utilize a 5' building line, the site plan is able to consolidate all of the surface parking in a way that allows the entire frontage along Scott Street to be dedicated to the project's Amenity Center and Pedestrian Realm that will enhance the City's vision for a Transit Corridor Street.

(1b) Strict application would make this project infeasible due to the existence of unusual physical characteristics that affect the property in question, or would create an impractical development or one otherwise contrary to sound public policy;

(2) The circumstances supporting the granting of the variance are not the result of a hardship created or imposed by the applicant;

The circumstances are based on the existing conditions on and surrounding this tract. This includes the previous variances granted to Oak Farms Dairy, in 2004. All of these factors existed prior to beginning the Scott Street Lofts development.

(3) The intent and general purposes of this chapter will be preserved and maintained;

The intent and general purposes of Chapter 42 will be preserved and maintained. By granting the variance request, there would be no visibility or public safety issues created for the adjacent area, which is part of the intent and general purpose of Chapter 42. The granting of the variance will allow this site to be developed in a manner to promote the City's intent for development along a Transit Corridor.

(4) The granting of the variance will not be injurious to the public health, safety or welfare;

The granting of this variance will maintain the existing traffic patterns and help improve the current pedestrian flow surrounding this project and to Scott Street. Also, the health and welfare of the future tenants, employees and general public will be greatly improved by creating a much improved pedestrian realm for all of the surrounding streets. By granting this variance, it will maintain the public health, safety and welfare, in the neighborhood.

(5) Economic hardship is not the sole justification of the variance.

The existing conditions, structures, development patterns and street patterns on and surrounding the property are the justification of the variance. Economic Hardship is not the sole justification of the variance.



PLANNING & DEVELOPMENT DEPARTMENT

APPLICANT'S Variance Request Form

Application Number: 2020-0072

Plat Name: Scott Street Lofts

Applicant: Total Surveyors, Inc.

Date Submitted: 01/13/2020

The applicant bears the burden of providing factual, material, and compelling evidence to support a variance request in the Statement of Facts ("SOF") below. The applicant must write a response to each of the statements as part of their application. Failure to do so will result in the application being deemed incomplete and not placed before the Planning Commission. The applicant may attach additional supporting documents to the application. P&D will not correct, revise, or edit the applicant's information. P&D will formulate its recommendation by evaluating the SOF's information, the additional information provided and any relevant information available to the Department.

(Sec. 42-47 and Sec. 42-81)

Specific Variance is being sought and extent of variance:

To not require the dedication of 5' of right-of-way along Denver Street and Clay Street and only dedicate 5' of right-of-way along Sampson Street, instead of the required 10' of dedication.

Chapter 42 Section: 42-121 (b)

Chapter 42 Reference:

42-121 (b) When an existing public street with a right-of-way width that does not meet the requirements of section 42-122 of this Code is adjacent to and forms a boundary of a subdivision plat or development plat, the owner of the property within the proposed subdivision or development shall dedicate sufficient additional right-of-way within the proposed subdivision or development adjacent to the existing right-of-way to provide one-half of the total right-of-way width necessary to meet the requirements of section 42-122 of this Code. In the case of a subdivision plat, the dedication shall be made by plat. In the case of a development plat, the dedication shall be made by separate instrument. The commission shall waive the requirement to dedicate right-of-way upon finding that the applicant has made a satisfactory showing that the proposed subdivision or development will not contribute to a significant increase in traffic on the street.

Statement of Facts

(1a) The imposition of the terms, rules, conditions, policies and standards of this chapter would create an undue hardship by depriving the applicant of the reasonable use of the land; OR

This proposed site is located along Scott Street, a Transit Corridor Street, and is bounded on the other three sides by Denver Street, Sampson Street and Clay Street. The site is currently developed with a sheet metal commercial building, built originally in 1970 with additions, along with concrete parking. The future site to be known as, Scott Street Lofts is proposed as a newly constructed 123-unit affordable apartment community for seniors 55 and older in the East Downtown area of Houston, Texas. This complex will be comprised of a five-story, elevator served building containing an amenity center and approximately 123 units. The ground floor will contain the amenity center, pool, and parking, with 4 stories of apartment units stacked above. Scott Street Lofts is an affordable multifamily development with 123 units for seniors 55 and older. The project will be financed with an allocation of 4% Housing Tax Credits and Private Activity Bonds from the Texas Department of Housing and Community Affairs. The project also received an allocation of Hurricane Harvey CDBG-DR funds from the City of Houston Department of Housing and Community Development. Each apartment unit will include nine-foot ceilings, a full energy star appliance package, washer/dryer hookups and all living rooms and bedrooms will have ceiling fans. All units will have balconies. The buildings will be designed to maximize energy efficiency. The design will feature 100% masonry exterior (brick, cultured stone, stucco and/or hardi), architectural roofing, smoke detectors, and wiring for phone, cable and data service (CAT5e). All parking will be covered on the ground floor, behind security gates for the safety of the residents. The amenity center will include several community areas, such as: . an ample sized community room for gatherings, resident meetings, and special social events; . a computer lab/business center with internet access; . an equipped fitness room; . a community laundry room; . offices for staff; and . maintenance office/workroom/storage. A swimming pool will be included for use by residents. Scott Street Lofts does intend to opt into and design according to the performance standards for a Transit Corridor Development, along Scott Street. The accessibility to the transit corridor is a huge benefit to the residents of this development. Great improvements will be made not only to the 15' Pedestrian Realm, but also to the other surrounding rights-of-way. Enhanced landscaping, 4' pedestrian buffer from the pavement section with min. 6' concrete sidewalks, lighting and other amenities will be an added benefit to the proposed apartments, as well as, the public, as this area begins to transition with the new development in the area. As a potential hardship to the design of a site plan for this project, there is a dedicated public right-of-way on all 4 sides of this site. On the northside is Clay Street, which is 50' wide and where the majority of the vehicular traffic will come from. This segment of Clay Street is only 282.17 feet long and there is a "T" intersection on both ends, Scott Street to the east and Sampson Street to the West. On the south side

of the site is Denver Street, a dedicated 50' public right-of-way. Denver Street is approximately 342' and is also terminated on both ends at Scott Street and Sampson Street. There will be no vehicular access to Denver Street from this development. We believe the current width of 50' for Clay Street and Denver Street is sufficient due to the fact that this site has been used for commercial for over 50 years and is surrounded by other commercial developments. In 2004 Oak Farms Dairy was granted a variance not to widen Sampson or Denver Street. On the west side of the Scott Street Lofts project is Sampson Street, a 40' wide dedicated public right-of-way. As stated above the City of Houston granted a variance in 2004 to Oak Farms Dairy, to not require the dedication of any right-of-way along Sampson Street, from its intersection with Denver Street, north to Polk Street. In 1987, the City of Houston received a roadway easement of 5' along a 100' section of Sampson Street, within this tract of land. With this plat we intend to dedicate to the public, that portion of the roadway easement and extend the 5' dedication from Denver Street to Clay Street. Which would create a 45' wide dedicated public right-of-way. There will be one driveway exit from the apartment site and it will be an exit only. Which will allow vehicles to travel north to Polk Street or East to Scott Street. The Clay, Denver and Sampson Street rights-of-way were dedicated to the public, by subdivision plat, in 1914, as a 50' wide right-of-way and 40' wide right-of-way. Over the years, Clay Street and Denver Street and most streets in the immediate area have been developed primarily as commercial properties, with a few single family homes, along all block faces. The current paving width in Clay Street and Denver Street is +/- 26.4' wide, and have been reconstructed with a curb and gutter section. The current paving width for Sampson Street is 20.0' wide. Sampson Street is an asphalt street. This development will not take any vehicular access from Denver Street and will not increase traffic flow at all. Clay Street and Sampson Street will receive all of the vehicular traffic flow and do have an adequate pavement width to efficiently allow the traffic to flow to Scott Street or Polk Street. When built, all of the surrounding rights-of-ways will have a minimum of a 4' pedestrian buffer with minimum 6' wide concrete sidewalk. Clay, Denver and Sampson Streets have functioned for at least 50 years serving a commercial site without the need for widening. This development will honor all ordinance building lines, along Clay Street and Denver Street, as well as the visibility triangles at each intersection, so as not to obstruct visibility or create any public safety issues for the adjacent area. By granting the variance and allowing the proposed tract of land to maintain the existing boundary lines on the north, west, and south sides, the site plan is able to consolidate all of the surface parking in a way that allows the entire frontage along Scott Street to be dedicated to the project's Amenity Center and Pedestrian Realm that will enhance the City's vision for a Transit Corridor Street.

(1b) Strict application would make this project infeasible due to the existence of unusual physical characteristics that affect the property in question, or would create an impractical development or one otherwise contrary to sound public policy;

(2) The circumstances supporting the granting of the variance are not the result of a hardship created or imposed by the applicant;

The circumstances are based on the existing conditions on and surrounding this tract. This includes the previous variances granted to Oak Farms Dairy, in 2004. All of these factors existed prior to beginning the Scott Street Lofts development.

(3) The intent and general purposes of this chapter will be preserved and maintained;

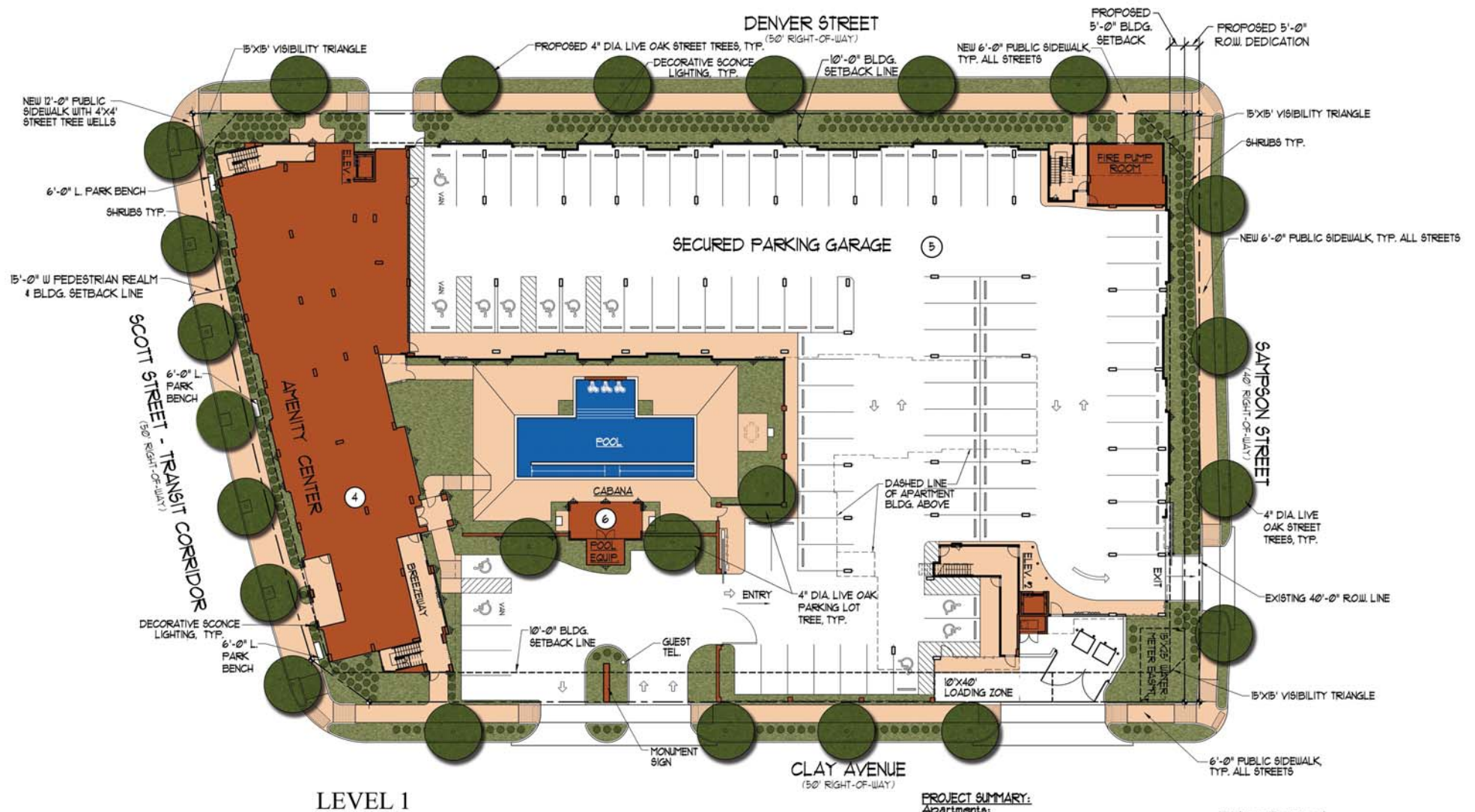
The intent and general purposes of Chapter 42 will be preserved and maintained. There is minimal traffic along Clay, Denver and Sampson Street, which does not create the necessity for widening Clay and Denver Streets. By granting the variance request, there would be no visibility or public safety issues created for the adjacent area, which is part of the intent and general purpose of Chapter 42. The granting of the variance will allow this site to be developed in a manner to promote the City's intent for development along a Transit Corridor.

(4) The granting of the variance will not be injurious to the public health, safety or welfare;

The granting of this variance will maintain the existing traffic patterns and help improve the current pedestrian flow surrounding this project and to Scott Street. Also, the health and welfare of the future tenants, employees and general public will be greatly improved by creating a much improved pedestrian realm for all of the surrounding streets. By granting this variance, it will maintain the public health, safety and welfare, in the neighborhood.

(5) Economic hardship is not the sole justification of the variance.

The existing conditions, structures, development patterns and street patterns on and surrounding the property are the justification of the variance. Economic Hardship is not the sole justification of the variance.



SCOTT STREET SENIORS

A Seniors Community
 Mucasey & Associates, Architects
 January 12, 2020

PROJECT SUMMARY:

Apartments:

Type	Description	Qty.	Area
A1	One Bedroom, 1 Bath	59	716 s.f.
A2	One Bedroom, 1 Bath (H.C.)	4	716 s.f.
Total One Bedroom Units		63 Units	
B1	Two Bedroom, 2 Bath	97	1,073 s.f.
B2	Two Bedroom, 2 Bath (H.C.)	3	1,073 s.f.
Total Two Bedroom Units		60 Units	
Apartments Total		123 Units	106,848 s.f.
Amenity Center			7561
Cabana			434
Project Total Net Area			114,843

Parking Required:

123 Units @ .75 cars =	9225 cars
1 car per employee x 3 employees x 1 car ea. =	3 cars
Total Required Parking	96 cars

Parking Provided:

	Van Accessible	HC Accessible	Standard	Total
Open Parking (secured)	2	8	80	90 cars
Amenity Center (Guest) Parking (non-secured)	1	1	4	6 cars
Total Parking Provided	3	9	84	96 cars



SCOTT STREET SENIORS

A Seniors Community
Mucasey & Associates, Architects
January 12, 2020

PROJECT SUMMARY:

Apartments:

Type	Description	Qty.	Area
A1	One Bedroom, 1 Bath	59	716 s.f.
A2	One Bedroom, 1 Bath (H.C.)	4	716 s.f.
Total One Bedroom Units		63 Units	
B1	Two Bedroom, 2 Bath	51	1,023 s.f.
B2	Two Bedroom, 2 Bath (H.C.)	3	1,023 s.f.
Total Two Bedroom Units		54 Units	
Apartments Total		123 Units	106,848 s.f.
Amenity Center			7561
Cabana			434
Project Total Net Area			114,843

Parking Required:

123 Units x .75 cars =	9225 cars
1 car per employee x 3 employees x 1 car ea. =	3 cars
<hr/>	
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Parking Provided:

	Van Accessible	HC Accessible	Standard	Total
Open Parking (secured)	2	8	80	90 cars
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Total Parking Provided		3	9	84
				96 cars



Scott Street View

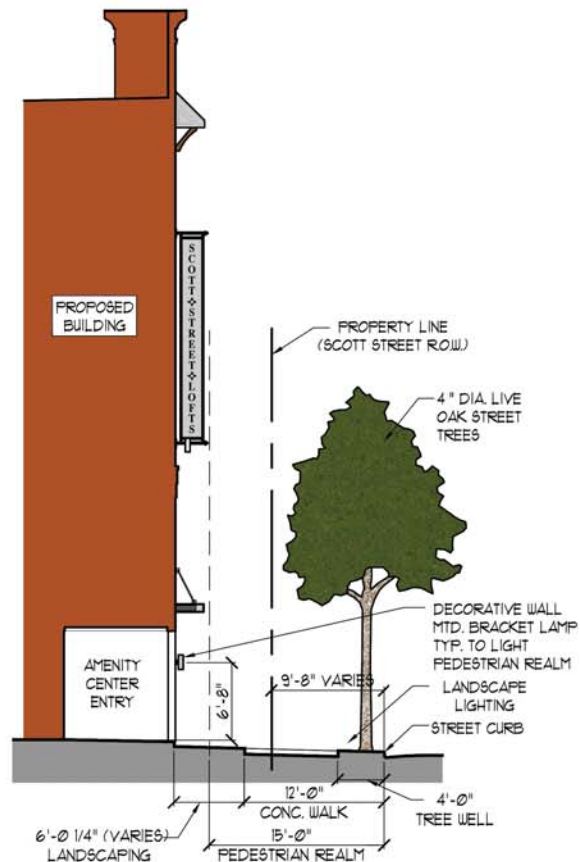


Denver Street View

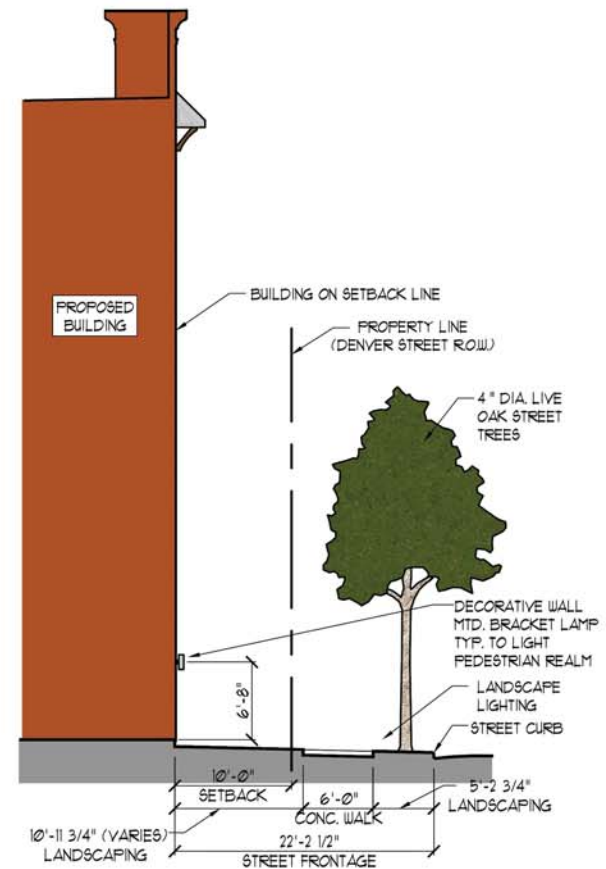
SCOTT STREET SENIORS

Mucasey & Associates, Architects

January 10, 2020



TRANSIT CORR. SECT.
(SCOTT STREET)



SIDEWALK SECTION
(DENVER, SAMPSON, & CLAY AVE.)

SCOTT STREET SENIORS

A Seniors Community

Mucasey & Associates, Architects

January 10, 2020



CITY OF HOUSTON

Planning and Development

Sylvester Turner

Mayor

Margaret Wallace Brown
Director
P.O. Box 1562
Houston, Texas 77251-1562

T. 832.393.6600
F. 832.393.6662
www.houstontx.gov

January 16, 2020

NOTICE OF VARIANCE REQUEST

PROJECT NAME: Scott Street Lofts

REFERENCE NUMBER: 2020-0072

VAR

Dear Property Owner:

The Planning and Development Department has received a subdivision application with a variance request for a property located along Scott Street South of Polk Street. You are receiving this letter because you are listed in the Harris County Appraisal District records as a neighboring owner for property that falls within the Chapter 42 required notification area adjacent to this variance request.

Total Surveyors, Inc., the applicant, has filed the request on behalf of the developer of the subject site. The applicant is requesting a variance for a reduced building line of 5' along Sampson street, to not require the dedication of 5' of right-of-way along Denver Street and Clay Street and only dedicate 5' of right-of-way along Sampson Street, instead of the required 10' of dedication.

The Planning and Development Department staff is currently reviewing this application and will present a recommendation to the Houston Planning Commission. The Commission is the non-legislative body authorized to review and render decisions on subdivision applications and requests. The meeting at which this item will first be considered is listed below. A sign with this information has also been posted on the project site.

PLANNING COMMISSION MEETING INFORMATION:

Thursday January 23, 2020, beginning at 2:30 p.m.

City Hall Annex Building, 900 Bagby Street

City Council Chamber, Public Level, Houston, Texas

Members of the public may attend the meeting to make comments or express concerns about the proposed project. For additional information regarding this project, please call Kevin Kolb of Total Surveyors, Inc. at 281-479-8719. You may also contact Homero Guajardo with the Planning and Development Department regarding this notice via email at planning.variances@houstontx.gov or call (832)393-6600. To view the complete Planning Commission meeting agenda, go to www.houstonplanning.com. Information on the reverse side of this page explains more about the terminology used in this letter. **Para más información acerca de este documento, favor de llamar al Departamento de Planificación y Desarrollo al 832-393-6659.**

TERMINOLOGY

- **CHAPTER 42:** The City of Houston's, Code of Ordinances that describes the rules and regulations for subdividing property within the corporate limits and the extraterritorial jurisdiction.
- **EXTRATERRITORIAL JURISDICTION (ETJ):** Represents the area extending beyond Houston's corporate limits approximately five miles into the unincorporated areas of Harris, Fort Bend, Liberty, Montgomery, and Waller counties.
- **SUBDIVISION PLAT:** A graphical presentation of a particular surveyed tract of land laying out street rights-of-way, lots and reserves, building setback lines, and easements which must comply with the development requirements of the City of Houston's, Code of Ordinances, Chapter 42. These regulations, adopted by City Council, are intended to promote the safe, orderly and healthy development of the City and its extraterritorial jurisdiction. The approved map subsequently may be filed and recorded with the appropriate county clerk's office as the official map of record for this property.
- **SUBDIVISION REPLAT:** Is simply a subdivision plat that further subdivides an existing subdivision plat. Typically, a replat will make changes to the layout of lots, reserves, building setback lines and easements.
- **VARIANCE:** A deviation from strict compliance with the rules and regulations of Chapter 42. The applicant must document a reasonable hardship that staff can evaluate.
- **SPECIAL EXCEPTION:** A commission-approved adjustment to the certain standards of Chapter 42. The applicant must document existing special circumstances unique to the land that justify modification of the development standards.

PLANNING COMMISSION BODY, AUTHORITY AND OBLIGATION

- The Houston Planning Commission is a non-legislative body authorized to govern the subdivision rules and regulations described in Chapter 42. The Commission consists of 25 members and meets every two weeks per their adopted Commission meeting schedule.

PLANNING DEPARTMENT STAFF, AUTHORITY AND OBLIGATION

- Development Services Division reviews subdivision plats, replats and development plats for compliance with the rules and regulations described in Chapter 42. Development plats must also comply with Chapter 26 (Off-street Parking and Loading) and Chapter 33 (Trees, Shrubs and Screening Fences).

CITY OF HOUSTON SEC. 42-82 AND 42-83

- Notification to property owners within 250 feet of certain proposed development applications with a requested variance is required. The proposed development must be located within the city limits.

PROPERTY OWNERSHIP INFORMATION

- For notification purposes, property ownership information and property owner mailing addresses are obtained from the most recent property tax rolls of the county in which the property is located.
- Addressed envelopes and postage are provided by the applicant.

Houston Planning Commission

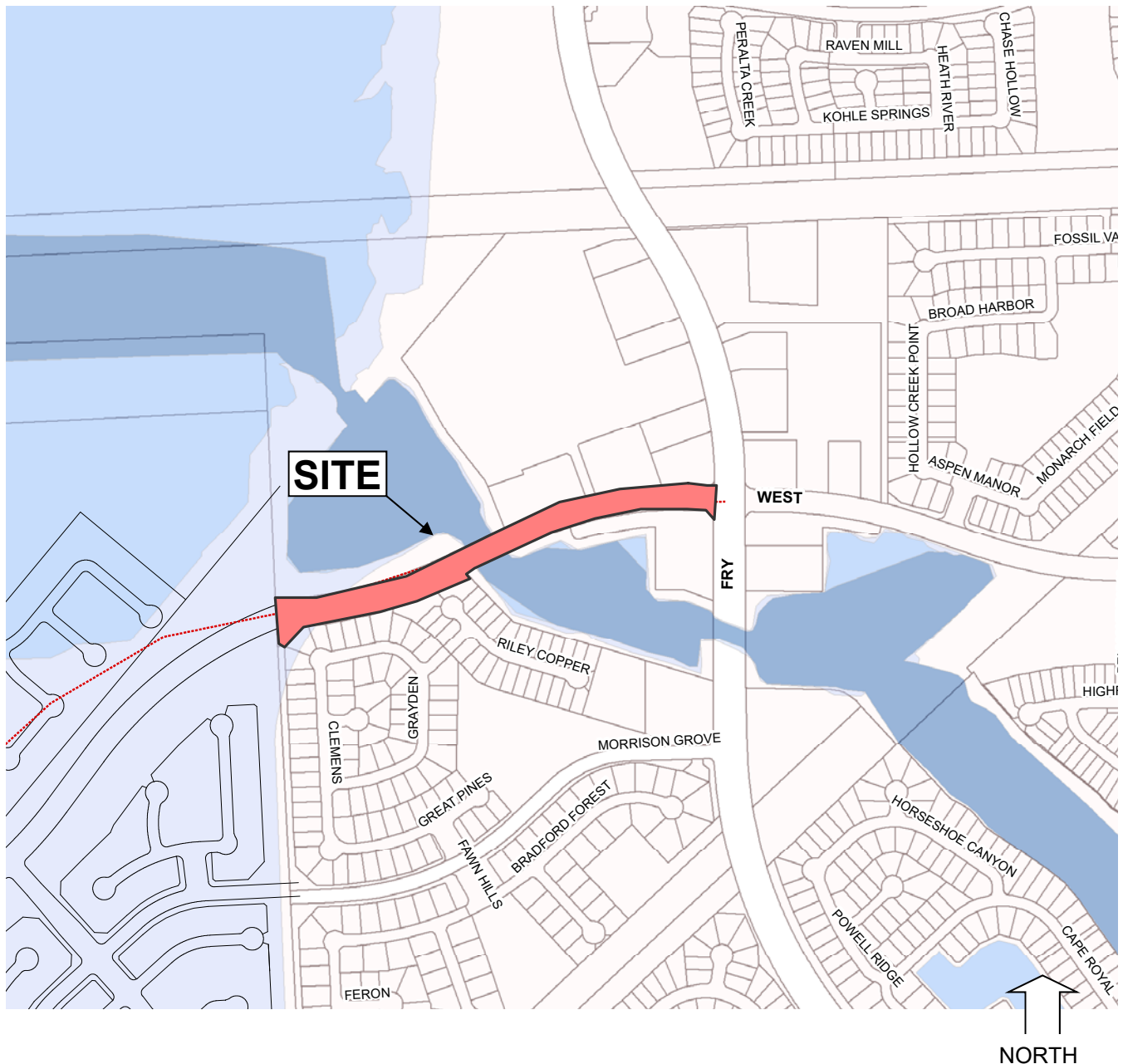
ITEM: 100

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: West Road Extension and Reserve replat no 1

Applicant: Jones|Carter



E – Special Exceptions

Site Location

Meeting Date: 01/23/2020

Applicant: Jones|Carter



Subdivision

Houston Planning Commission

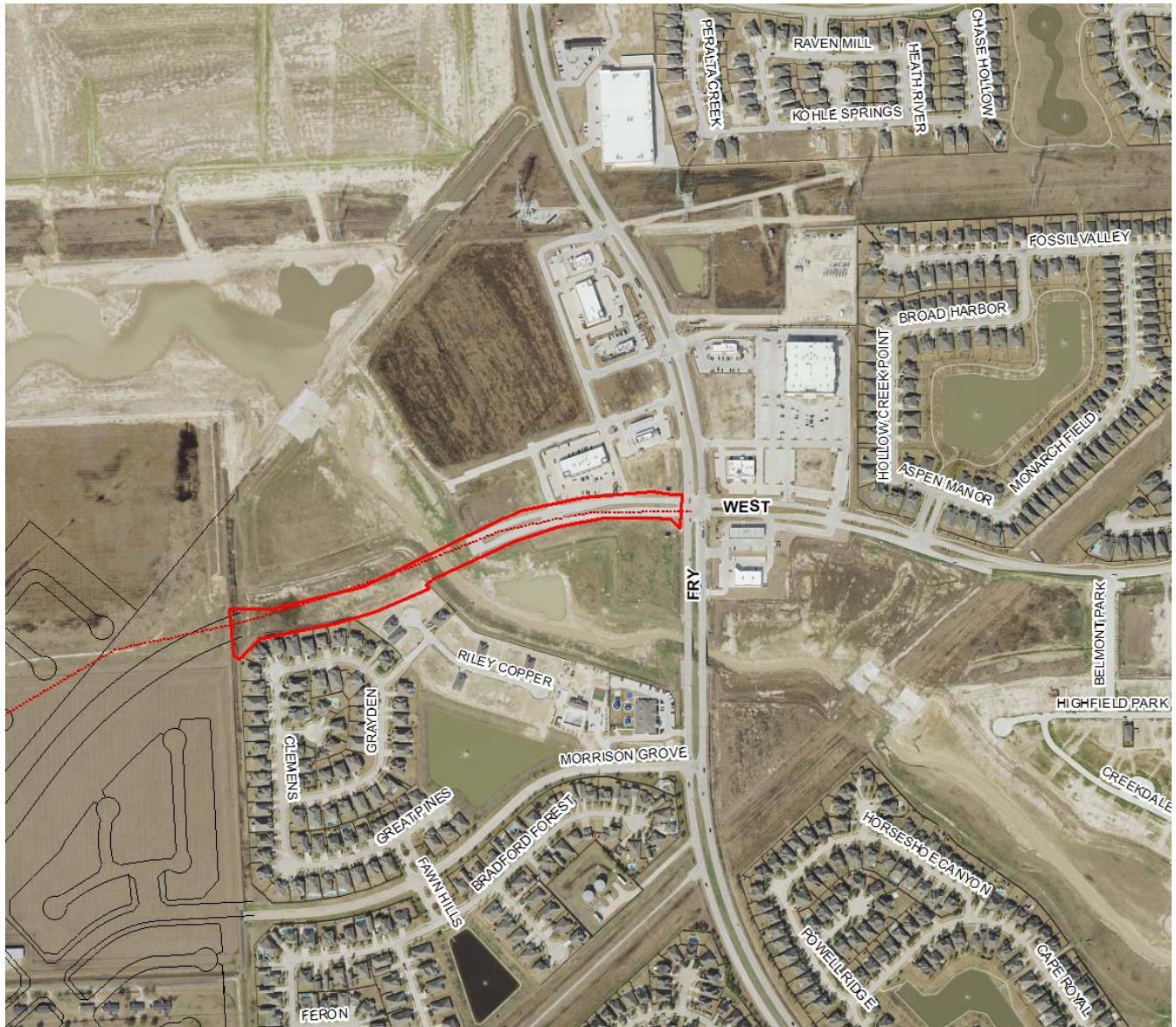
ITEM: 100

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: West Road Extension and Reserve replat no 1

Applicant: Jones|Carter



E – Special Exceptions

Aerial



**PLANNING &
DEVELOPMENT
DEPARTMENT**

**APPLICANT'S
Special Exception Request Form**

Application Number: 2020-0056

Plat Name: West Road Extension and Reserve replat no 1

Applicant: Jones|Carter - Woodlands Office

Date Submitted: 01/13/2020

The applicant bears the burden of providing factual, material, and compelling evidence to support a variance request in the Statement of Facts ("SOF") below. The applicant must write a response to each of the statements as part of their application. Failure to do so will result in the application being deemed incomplete and not placed before the Planning Commission. The applicant may attach additional supporting documents to the application. P&D will not correct, revise, or edit the applicant's information. P&D will formulate its recommendation by evaluating the SOF's information, the additional information provided and any relevant information available to the Department.

(Sec. 42-48 and Sec. 42-82)

Specific requirement for which the special exception is being sought:

To allow a centerline radius of less than 2,000' for major thoroughfare West Road

Chapter 42 Section: 42-132a

Chapter 42 Reference:

Sec. 42-132. - Curves (a) Curves for the right-of-way of a major thoroughfare shall have a centerline radius of at least 2,000 feet. Reverse curves shall be separated by a tangent distance of not less than 100 feet.

Statement of Facts

(1) Special circumstances exist that are unique to the land or the proposed subdivision or development and that are not generally applicable to all other land, subdivision for development in the city or its extraterritorial jurisdiction that justify modification of the standards that would otherwise apply;

On January 9, 2020 the Planning Commission granted a variance to allow a centerline of less than 2,000' for West Road within the adjacent Marvida GP- an alignment that was coordinated with Harris County Engineering Department and the City of Houston Planning Department prior to submittal of the GP. In that variance request, the developer mentioned that the preferred alignment of West Road with an 1,800' centerline radius, would require a replat of the major thoroughfare as recorded in West Road Extension and Reserve (FC No. 677674 HCMR). Therefore, this replat and special exception request is being submitted to preserve the alignment of West Road with a 1,800' centerline radius. This special exception request is for the 'western' portion of the major thoroughfare (as it approached Marvida GP), as the 'eastern' portion was addressed with the previous plat.

(2) The proposed special exception will achieve a result contemplated by the standard in article III of Chapter 42 (Planning Standards);

The developer coordinated with the Harris County Engineering Department, with respect to alternative alignments for West Road within the subject GP. As a result of those discussions, a preferred alignment for West Road, with a centerline radius of 1,800', was proposed with the GP submittal. On January 9, 2020 the Planning Commission granted a variance to allow a centerline of less than 2,000' for West Road within the adjacent Marvida GP. This submitted replat aims to preserve that preferred alignment of West Road (with a centerline radius of 1,800') without impacting the adjacent single family residential development.

(3) The modification of the standard requested is not disproportionate to the requirement of the standard;

The submitted replat is requesting an 1,800' centerline radius for the 'western' portion of West Road. This represents a 10% deviation from the standard- which is not disproportionate to the standard.

(4) The intent and general purposes of this chapter will be preserved and maintained;

The developer coordinated with the Harris County Engineering Department and the City, with respect to alternative alignments for West Road within the adjacent Marvida GP. As a result of those discussions, a preferred alignment for West Road, with a centerline radius of 1,800' was requested and variance granted by the Planning Commission on January 9, 2020. This submitted replat aims to preserve that preferred alignment of West Road without impacting the adjacent single family residential development.

(5) The granting of the special exception will not be injurious to the public health, safety or welfare.

Granting of the reduced centerline radius of 1,800' for West Road will allow the alignment of this portion of the designated major thoroughfare to conform with the granted variance within the adjacent Marvida GP, without impacting existing single family residential development.

Houston Planning Commission

ITEM: 101

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Lutheran Vista

Applicant: replats.com



F- Reconsideration of Requirements

Site Location

Houston Planning Commission

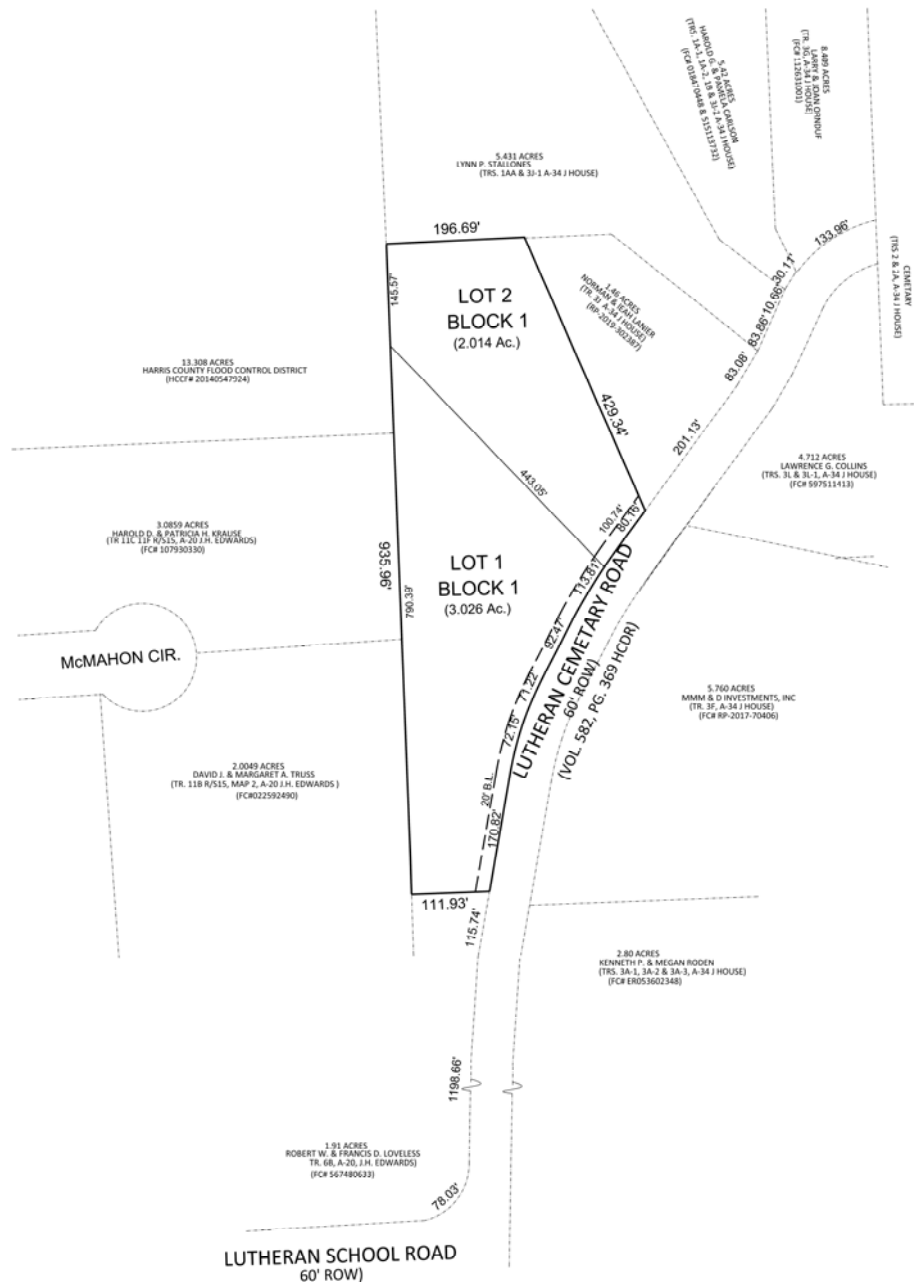
ITEM: 101

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Lutheran Vista

Applicant: replats.com



F- Reconsideration of Requirements

Subdivision

Houston Planning Commission

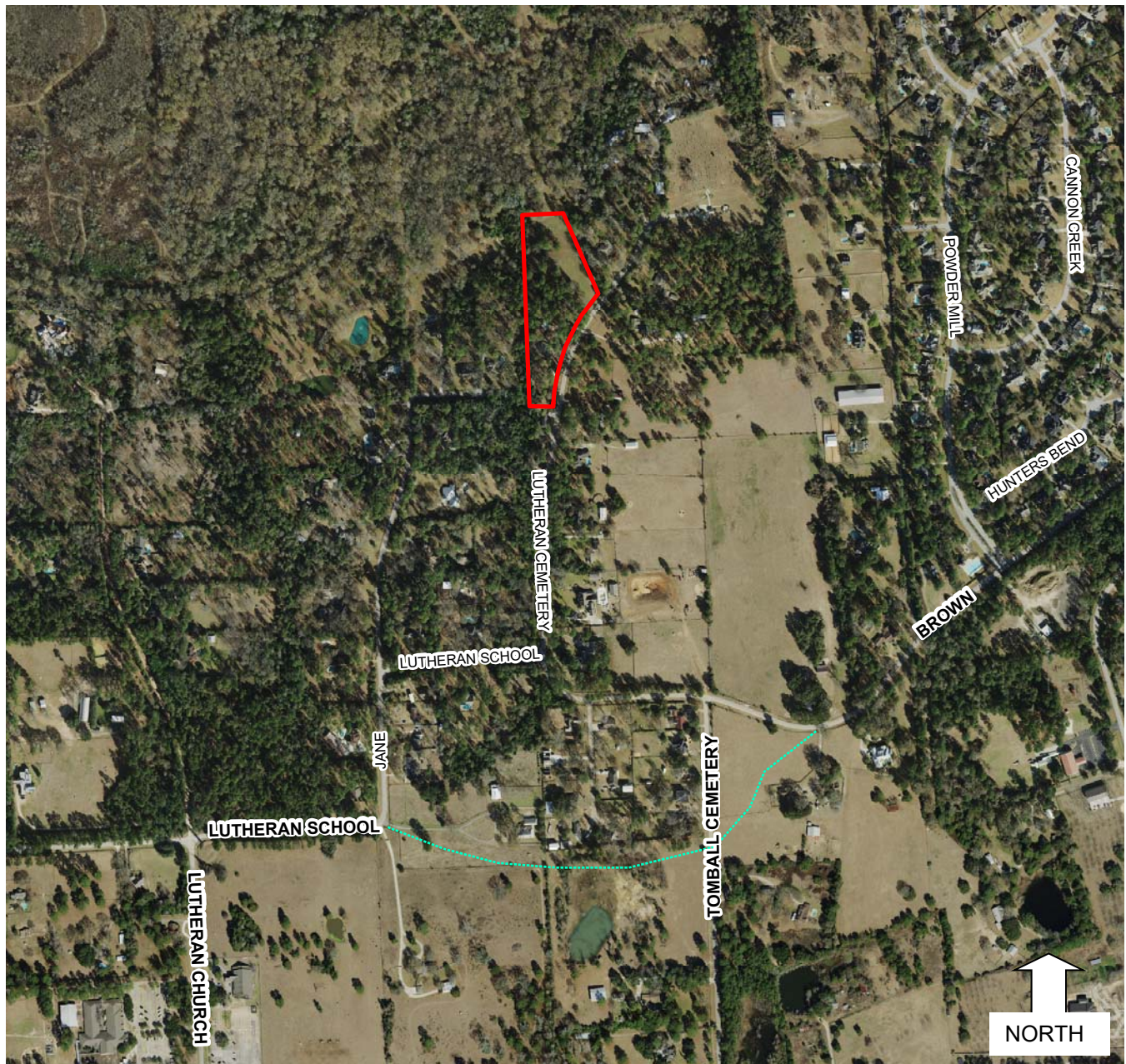
ITEM: 101

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Lutheran Vista

Applicant: replats.com



F- Reconsideration of Requirements

Aerial



Application No: 2020-0018
Plat Name: Lutheran Vista
Applicant: replats.com
Date Submitted: 01/10/2020

The applicant bears the burden of providing factual, material, and compelling evidence to support a variance request in the Statement of Facts ("SOF") below. The applicant must write a response to each of the statements as part of their application. Failure to do so will result in the application being deemed incomplete and not placed before the Planning Commission. The applicant may attach additional supporting documents to the application. P&D will not correct, revise, or edit the applicant's information. P&D will formulate its recommendation by evaluating the SOF's information, the additional information provided and any relevant information available to the Department.

(Sec. 42-47 and Sec. 42-81)

Specific requirement or condition being sought:

To exceed the 1400 foot maximum block length Sec. 42-81

Chapter 42 Section: 128

Chapter 42 Reference:

42-128 (a)(1) Each local street shall intersect with a street that meets the requirements of subsection (b) at least every 1400 feet

If this request requires a variance or special exception, the applicant must comply with the Plat Submittal Requirements and provide a completed Variance Request Information Form or Special Exception Information Form.

STATEMENT OF FACTS:

A new street is neither required nor in the best interest of the public (See Variance Request)



Application Number: 2020-0018

Plat Name: Lutheran Vista

Applicant: replats.com

Date Submitted: 01/10/2020

The applicant bears the burden of providing factual, material, and compelling evidence to support a variance request in the Statement of Facts ("SOF") below. The applicant must write a response to each of the statements as part of their application. Failure to do so will result in the application being deemed incomplete and not placed before the Planning Commission. The applicant may attach additional supporting documents to the application. P&D will not correct, revise, or edit the applicant's information. P&D will formulate its recommendation by evaluating the SOF's information, the additional information provided and any relevant information available to the Department.

(Sec. 42-47 and Sec. 42-81)

Specific Variance is being sought and extent of variance:

To exceed the 1400 foot intersection requirement. Sec 42-81

Chapter 42 Section: 128

Chapter 42 Reference:

42-128 (a)(1) Each local street shall intersect with a street that meets the requirements of subsection (b) at least every 1400 feet

Statement of Facts

(1a) The imposition of the terms, rules, conditions, policies and standards of this chapter would create an undue hardship by depriving the applicant of the reasonable use of the land; OR

(1b) Strict application would make this project infeasible due to the existence of unusual physical characteristics that affect the property in question, or would create an impractical development or one otherwise contrary to sound public policy;

Lutheran Cemetary Road is approximately 2200 feet from the intersection of Lutheran School Road to it's dead-end at a Cemetary Only about a dozen abstract tracts take access from Lutheran Cemetary Road. Traffic is extremely light. The creation of a street across Lutheran Vista Subdivision would only serve the 2 Lots created by said subdivision and both Lots already have access from Lutheran Cemetary Road. Construction of a street would be futile and an unnecessary cost to the Owner that would serve no purpose. The tracts to the west of Lutheran Vista take access from Jane Road and McMahon Circle. No traffic would use a new street.

(2) The circumstances supporting the granting of the variance are not the result of a hardship created or imposed by the applicant;

The circumstances supporting the granting of the variance are or the result of a hardship created by the applicant. The subject tract has always taken access from Lutheran School Road and no other access is required.

(3) The intent and general purposes of this chapter will be preserved and maintained;

The intent and general purposes of this chapter will be preserved and maintained. A new street will not improve traffic flow.

(4) The granting of the variance will not be injurious to the public health, safety or welfare;

The granting of the variance will not be injurious to the public health, safety or welfare. Fire, Ambulance and City Services already have access, and a new street is not required.

(5) Economic hardship is not the sole justification of the variance.

Economic hardship is not the sole justification of the variance. A new street is neither needed nor would it be used. It would be an unneeded expense.

Houston Planning Commission

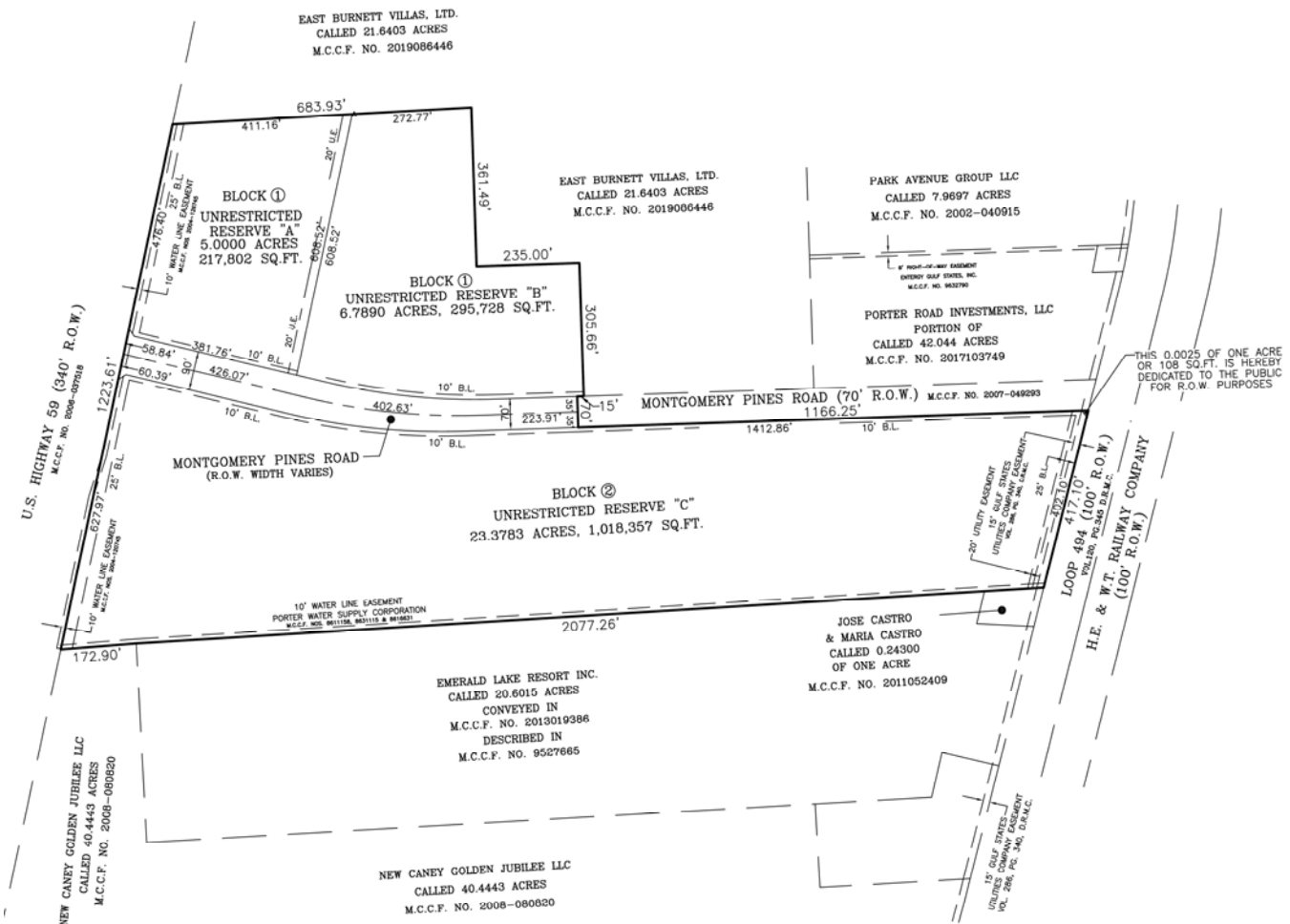
ITEM: 102

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Porter Road Investments at US 59

Applicant: Hovis Surveying Company Inc.



F- Reconsideration of Requirements

Subdivision

Houston Planning Commission

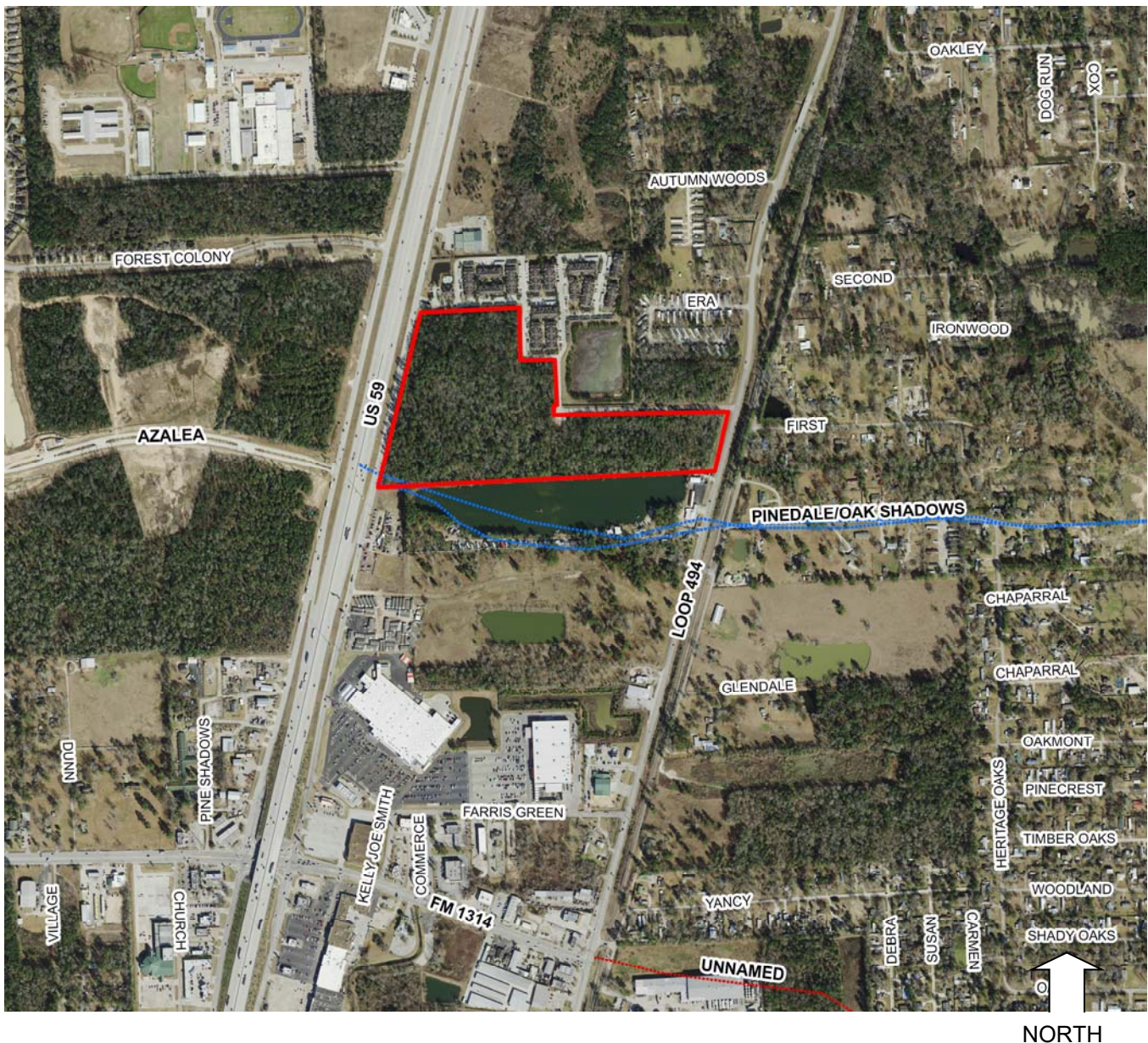
ITEM: 102

Planning and Development Department

Meeting Date: 01/23/2020

Subdivision Name: Porter Road Investments at US 59

Applicant: Hovis Surveying Company Inc.



F- Reconsideration of Requirements

Aerial



Application No: 2020-0069
Plat Name: Porter Road Investments at US 59
Applicant: Hovis Surveying Company Inc.
Date Submitted: 01/13/2020

The applicant bears the burden of providing factual, material, and compelling evidence to support a variance request in the Statement of Facts ("SOF") below. The applicant must write a response to each of the statements as part of their application. Failure to do so will result in the application being deemed incomplete and not placed before the Planning Commission. The applicant may attach additional supporting documents to the application. P&D will not correct, revise, or edit the applicant's information. P&D will formulate its recommendation by evaluating the SOF's information, the additional information provided and any relevant information available to the Department.

(Sec. 42-47 and Sec. 42-81)

Specific requirement or condition being sought:

To not provide a North South street along Montgomery Pines Road and to allow an overlong block length between Loop 494 and US 59.

Chapter 42 Section: 128

Chapter 42 Reference:

Each local street shall intersect with a street that meets the requirements of subsection (b) at least every 1,400 feet

If this request requires a variance or special exception, the applicant must comply with the Plat Submittal Requirements and provide a completed Variance Request Information Form or Special Exception Information Form.

STATEMENT OF FACTS:

The existing conditions on the adjacent properties to the North and South do not allow for an intersecting street within this development.



Application Number: 2020-0069

Plat Name: Porter Road Investments at US 59

Applicant: Hovis Surveying Company Inc.

Date Submitted: 01/13/2020

The applicant bears the burden of providing factual, material, and compelling evidence to support a variance request in the Statement of Facts ("SOF") below. The applicant must write a response to each of the statements as part of their application. Failure to do so will result in the application being deemed incomplete and not placed before the Planning Commission. The applicant may attach additional supporting documents to the application. P&D will not correct, revise, or edit the applicant's information. P&D will formulate its recommendation by evaluating the SOF's information, the additional information provided and any relevant information available to the Department.

(Sec. 42-47 and Sec. 42-81)

Specific Variance is being sought and extent of variance:

To not provide a North South intersecting street along Montgomery Pines Road and to allow for an overlong block length between Loop 494 and US 59.

Chapter 42 Section: 128

Chapter 42 Reference:

Each local street shall intersect with a street that meets the requirements of subsection (b) at least every 1,400 feet.

Statement of Facts

(1a) The imposition of the terms, rules, conditions, policies and standards of this chapter would create an undue hardship by depriving the applicant of the reasonable use of the land; OR

(1b) Strict application would make this project infeasible due to the existence of unusual physical characteristics that affect the property in question, or would create an impractical development or one otherwise contrary to sound public policy;

This proposed 37.1549 acre development is extending existing Montgomery Pines Road through to US 59. The existing dedicated portion of Montgomery Pines from Loop 494 to US 59 is 1,166.25 feet and the total length of Montgomery Pines Road once dedicated through this development would be a little around 2,214 feet. The property to the South of this development has an existing detention pond that runs along the majority of the South property line of this proposed development. This detention pond would limit the extension of a North South Street to connect any further South than our South property line. The Property to the North of this development owned by East Burnett Villas, LTD. is currently developed as multi-family and does not allow for a North South street connection to the North of this development.

(2) The circumstances supporting the granting of the variance are not the result of a hardship created or imposed by the applicant;

The circumstances supporting the granting of the variance are not the result of a hardship created or imposed by the applicant because these existing physical conditions were in place prior to the development of this property and limits the extension of a North South street any further than through this development which would in turn not increase the circulation in this area.

(3) The intent and general purposes of this chapter will be preserved and maintained;

The intent and general purposes of this chapter will be preserved and maintained because there is adequate circulation provided in the area by the existing major thoroughfares US 59 and Loop 494. In addition, the existing detention pond on the South of this development and the existing multi-family development to the North do not allow for the street to extend any further North or South and that would not alleviate the circulation in the area.

(4) The granting of the variance will not be injurious to the public health, safety or welfare;

The granting of the variance will not be injurious to the public health, safety or welfare because there is adequate North South circulation provided by US 59 and Loop 494 and the creation of a street with no further connection North or South does not help to increase the overall North South Circulation in the area as intended by the intersection spacing requirement. The block length along the North right-of-way line of Montgomery Pines Road would be 2,214.39 feet and the block length along the South right-of-way line of Montgomery Pines Road would be 2,213.46 feet. Both of this distances would not exceed the 2,600 foot major thoroughfare block length requirement.

(5) Economic hardship is not the sole justification of the variance.

Economic hardship is not the sole justification of the variance because the developments to the North and South of this proposed development prohibit the extension of a North South street any further to the North or South of this development. The overall circulation in the area is currently provided by the existing major thoroughfares and the creation of street with no further connection would not provide the required circulation.

CITY OF HOUSTON

HOUSTON PLANNING COMMISSION
PLANNING & DEVELOPMENT DEPARTMENT

Planning Commission
Meeting Date: 01/23/20

ITEM: 114

Applicant: CALVIN RING

Contact Person: BRIAN RING

Location	File No.	Zip	Lamb. No.	Key Map	City/ETJ
	19-1510	77357	5773	256Z	ETJ
NORTH OF: LAURA LN EAST OF: LOOP 494					

ADDRESS: 23129 E Community Dr

ACREAGE:

LEGAL DESCRIPTION:

LOTS 23 AND 25 OF OAKLEY-GUBERT EAST, AN UNRECORDED SUBDIVISION IN MONTGOMERY COUNTY, TEXAS.

PURPOSE OF REQUEST: Residence

STAFF REPORT

STAFF RECOMMENDATION:

BASIS OF RECOMMENDATION:

ADDITIONAL INFORMATION

PLANNING COMMISSION ACTION:

BASIS OF PLANNING COMMISSION ACTION: (SEE ABOVE STAFF EVALUATION)

ADDITIONAL FINDINGS BY PLANNING COMMISSION:

CERTIFICATE OF COMPLIANCE

CITY OF HOUSTON

HOUSTON PLANNING COMMISSION
PLANNING & DEVELOPMENT DEPARTMENT

Planning Commission
Meeting Date: 01/23/20

ITEM: 115

Applicant: REBECA MALDONADO AND LEONEL BANUELOS DIAZ

Contact Person: REBECA MALDONADO

Location	File No.	Zip	Lamb. No.	Key Map	City/ETJ
	19-1511	77365	5571	295K	ETJ
NORTH OF: MILLS BRANCH DR WEST OF: SORTERS RD					

ADDRESS: 18588 Wisp Willow Way

ACREAGE:

LEGAL DESCRIPTION:

LOT 183 OF SUMMER HILLS, SECTION 1, A SUBDIVISION IN MONTGOMERY COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN CABINET C, SHEET 118-A OF THE MAP RECORDS OF MONTGOMERY COUNTY, TEXAS.

PURPOSE OF REQUEST: Residence

STAFF REPORT

STAFF RECOMMENDATION:

BASIS OF RECOMMENDATION:

ADDITIONAL INFORMATION

PLANNING COMMISSION ACTION:

BASIS OF PLANNING COMMISSION ACTION: (SEE ABOVE STAFF EVALUATION)

ADDITIONAL FINDINGS BY PLANNING COMMISSION:

CERTIFICATE OF COMPLIANCE

CITY OF HOUSTON

HOUSTON PLANNING COMMISSION
PLANNING & DEVELOPMENT DEPARTMENT

Planning Commission
Meeting Date: 01/23/20

ITEM: 116

Applicant: YURI PEREZ

Contact Person: YURI PEREZ

Location	File No.	Zip	Lamb. No.	Key Map	City/ ETJ
	19-1512	77365	5771	295K	ETJ
NORTH OF: MACE DRIVE EAST OF: NEEDHAM ROAD					

ADDRESS: 23376 Ivy Ridge

ACREAGE:

LEGAL DESCRIPTION:

LOT 73 OF ADAM OAK SUBDIVISION, SECTION 3, AN UNRECORDED SUBDIVISION , MONTGOMERY COUNTY, TEXAS.

PURPOSE OF REQUEST: Residence

STAFF REPORT

STAFF RECOMMENDATION:

BASIS OF RECOMMENDATION:

ADDITIONAL INFORMATION

PLANNING COMMISSION ACTION:

BASIS OF PLANNING COMMISSION ACTION: (SEE ABOVE STAFF EVALUATION)

ADDITIONAL FINDINGS BY PLANNING COMMISSION:

CERTIFICATE OF COMPLIANCE



Houston Planning Commission

VARIANCE REQUEST APPLICATION

An applicant seeking a variance and/or special exception to the Planning Standards of Chapter 42 of the City of Houston's Code of Ordinances must complete the following application and submit an electronic copy of the Microsoft Word document to the Planning & Development Department at 1002 Washington Avenue 3rd floor prior to 11:00am on the submittal dates adopted by the Houston Planning Commission. For complete submittal requirements, please visit the City of Houston Planning & Development Department website at www.houstonplanning.com.

APPLICANT COMPANY	CONTACT PERSON	PHONE NUMBER	EMAIL ADDRESS
Windrose Land Services	Jeff Boutte	713-458-2281	jeff.boutte@windroseservices.com

PROPERTY ADDRESS	FILE NUMBER	ZIP CODE	LAMBERT	KEY MAP	DISTRICT
3841 Meadow Lake Lane Houston, TX 77027	19116712	77027	5256	492N	G

HCAD ACCOUNT NUMBER(S):	0731330020001
PROPERTY LEGAL DESCRIPTION:	LT 1 BLK 2 ROYDEN OAKS SEC 1
PROPERTY OWNER OF RECORD:	3841 MEADOW LAKE LLC
ACREAGE (SQUARE FEET):	.174 AC (7578 SF)
WIDTH OF RIGHTS-OF-WAY:	Meadow Lake 60' ROW; Willowick Road 60' ROW
EXISTING PAVING SECTION(S):	Meadow Lake Lane 26'; Willowick Road 50'; 10.9' Median
OFF-STREET PARKING REQUIREMENT:	2
OFF-STREET PARKING PROVIDED:	2
LANDSCAPING REQUIREMENTS:	Complies
LANDSCAPING PROVIDED:	Complies

EXISTING STRUCTURE(S) [TYPE; SQ. FT.]: 2546 SF

PROPOSED STRUCTURE(S) [TYPE; SQ. FT.]: 8063 SF

PURPOSE OF VARIANCE REQUEST: To allow a 10' building line, and to take vehicular access from Willowick Road a major thoroughfare for a single-family residence.

CHAPTER 42 REFERENCE(S): 42.188(B) A single family residential lot shall not have direct vehicular access to a major thoroughfare.

Sec. 42-152. (a) The portion of a lot or tract that is adjacent to a major thoroughfare shall have a building line requirement of 25 feet unless otherwise authorized by this chapter.

DEVELOPMENT PLAT VARIANCE



Houston Planning Commission

APPLICANT'S STATEMENT OF FACTS

SUMMARY OF VARIANCE CONDITIONS (BE AS COMPLETE AS POSSIBLE): The applicant has submitted a building permit to construct a single-family residence at 3841 Meadow Lake. The home design calls for vehicular access off Willowick Road, which is an extremely prevalent development pattern in the immediate area. Because the Code of Ordinances restricts access off major thoroughfares for single-family lots, the applicant must seek a variance.

The applicant bears the burden of providing factual, material, and compelling evidence to support a variance request in the Statement of Facts ("SOF") below. The applicant must write a response to each of the statements as part of their application. Failure to do so will result in the application being deemed incomplete and not placed before the Planning Commission. The applicant may attach additional supporting documents to the application. P&D will not correct, revise, or edit the applicant's information. P&D will formulate its recommendation by evaluating the SOF's information, the additional information provided and any relevant information available to the Department.

- (1a) The imposition of the terms, rules, conditions, policies and standards of this chapter would create an undue hardship by depriving the applicant of the reasonable use of the land; or**

The subject property is located at the southeast corner of Meadow Lake Lane and Willowick Road. The applicant is proposing to build an 8,063 square foot, two-story, single-family residence in place of the existing, outdated ranch style house. In order to match other homes in the neighborhood and the development style along nearby blocks of Willowick, the architectural front of the new home will be along the local street (Meadow Lake) with the garage entrance will be on the side street (Willowick Road). Because the side street is a major thoroughfare, the applicant must secure a variance to allow the driveway access. While there is an existing driveway on Willowick to serve this lot, the applicant is not allowed to use it after they completely tear down the existing home due to a loss of vested rights. Without the variance, the subject property will not match the development pattern of other homes in the neighborhood and the result will be a threat to the public's best interests.

- (1b) Strict application of the requirements of this chapter would make a project infeasible due to the existence of unusual physical characteristics that affect the property in question, or would create an impractical development or one otherwise contrary to sound public policy;**

DEVELOPMENT PLAT VARIANCE



Houston Planning Commission

- (2) **The circumstances supporting the granting of the variance are not the result of a hardship created or imposed by the applicant;**

The justification for the requested variance is the prevailing design pattern of the neighborhood. Other homes along several nearby blocks, some of which have been newly constructed, have driveway entrances on Willowick. Forcing the applicant to put the driveway access point on Meadow Lake is an undue hardship for the applicant and the neighborhood as it will create a conflicting development pattern with the other lots in the Royden Oaks Section 1 subdivision.

- (3) **The intent and general purposes of this chapter will be preserved and maintained;**

The City's development regulations promote safe and orderly development while allowing property owners to seek the highest and best use for their land. In Royden Oaks Section 1, corner lots are characterized by 25-foot front building lines along local streets, 10-foot side street building lines, and side-yard entrance garages. Before purchasing the subject property for their teardown/rebuild project, the applicant toured the surrounding area and witnessed the prevailing corner lot development pattern. Their belief that a side-entrance garage concept could be reestablished was further confirmed by an existing driveway on Willowick. It wasn't until after they purchased the property and submitted construction plans to the City that they found out a variance would be required. While the applicant certainly understands the procedural requirement for the variance following several positive and informative interactions with City staff, their hope is that the Commission will grant their request and enable the construction of a new home that better matches the surrounding neighborhood.

- (4) **The granting of the variance will not be injurious to the public health, safety or welfare;**

The applicant's request will not be injurious to the public's health, safety or welfare given the existing and proposed development conditions. First, there is an existing driveway connection on Willowick Road that will be preserved and used for sole access to the new home. Willowick is a divided boulevard style roadway without a median cut for the subject property. Using the existing driveway and only allowing right-in/right-out turning movements to Willowick is a safe and effective alternative to a driveway connection on Meadow Lake. To further enhance safe traffic movements, the applicant is installing a driveway turnaround to prevent vehicles from backing out on Willowick. Second, the ability to present a good architectural front to Meadow Lake without a garage entry enables the applicant to preserve the development character of the neighborhood.

- (5) **Economic hardship is not the sole justification of the variance.**

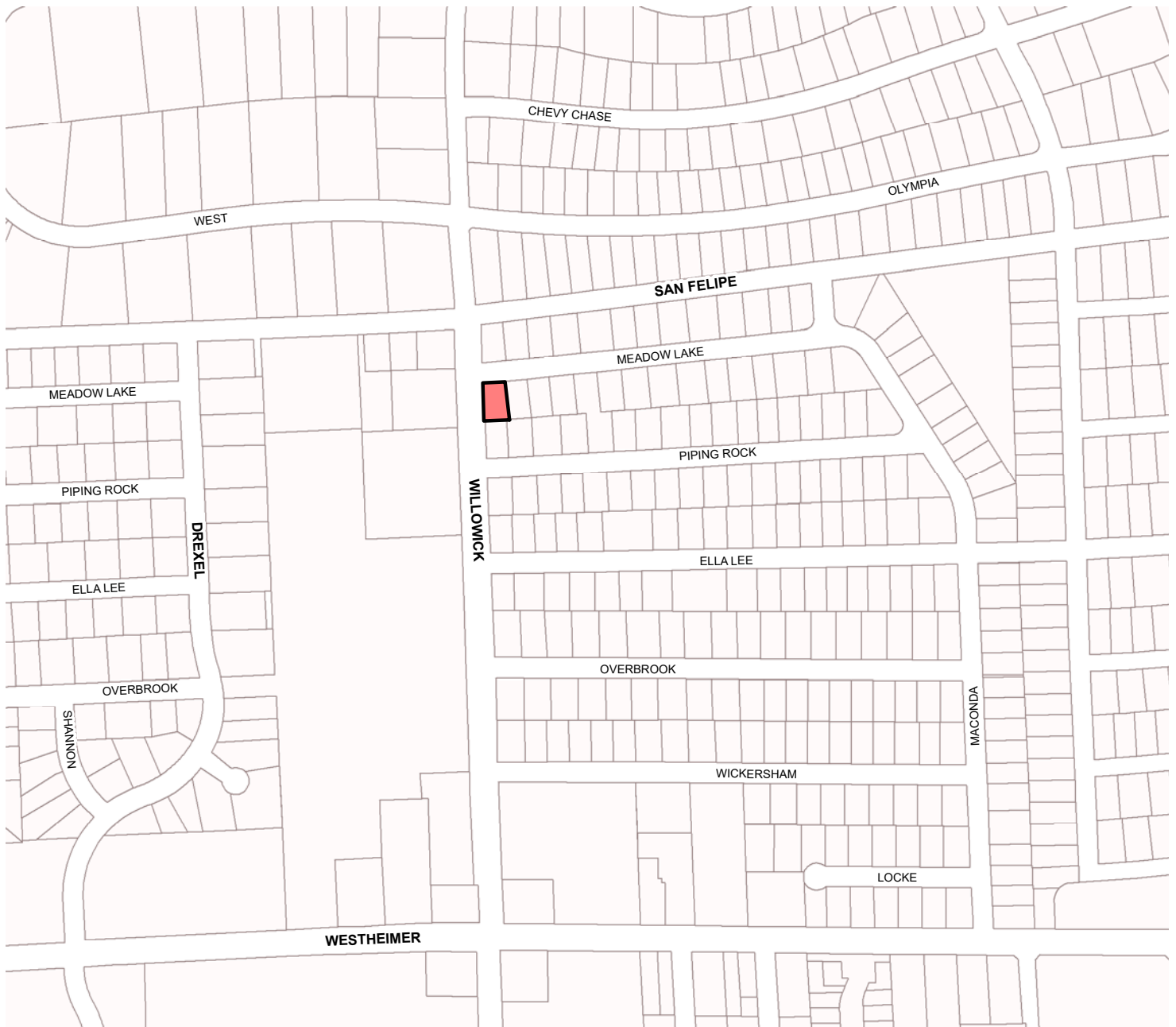
The justification for the requested variance is the need to provide a new home that is compatible with the development characteristics of the surrounding neighborhood. The motive is not purely financial, as a front-entry garage on Meadow Lake is possible if not in keeping with the neighborhood's character. As other property owners along Willowick have done in the same subdivision, the applicant desires to utilize a side-lot garage entry configuration. If the Commission grants the requested variance, the result will be a highly compatible and positive addition to the community.

DEVELOPMENT PLAT VARIANCE



Houston Planning Commission

Location Map



DEVELOPMENT PLAT VARIANCE



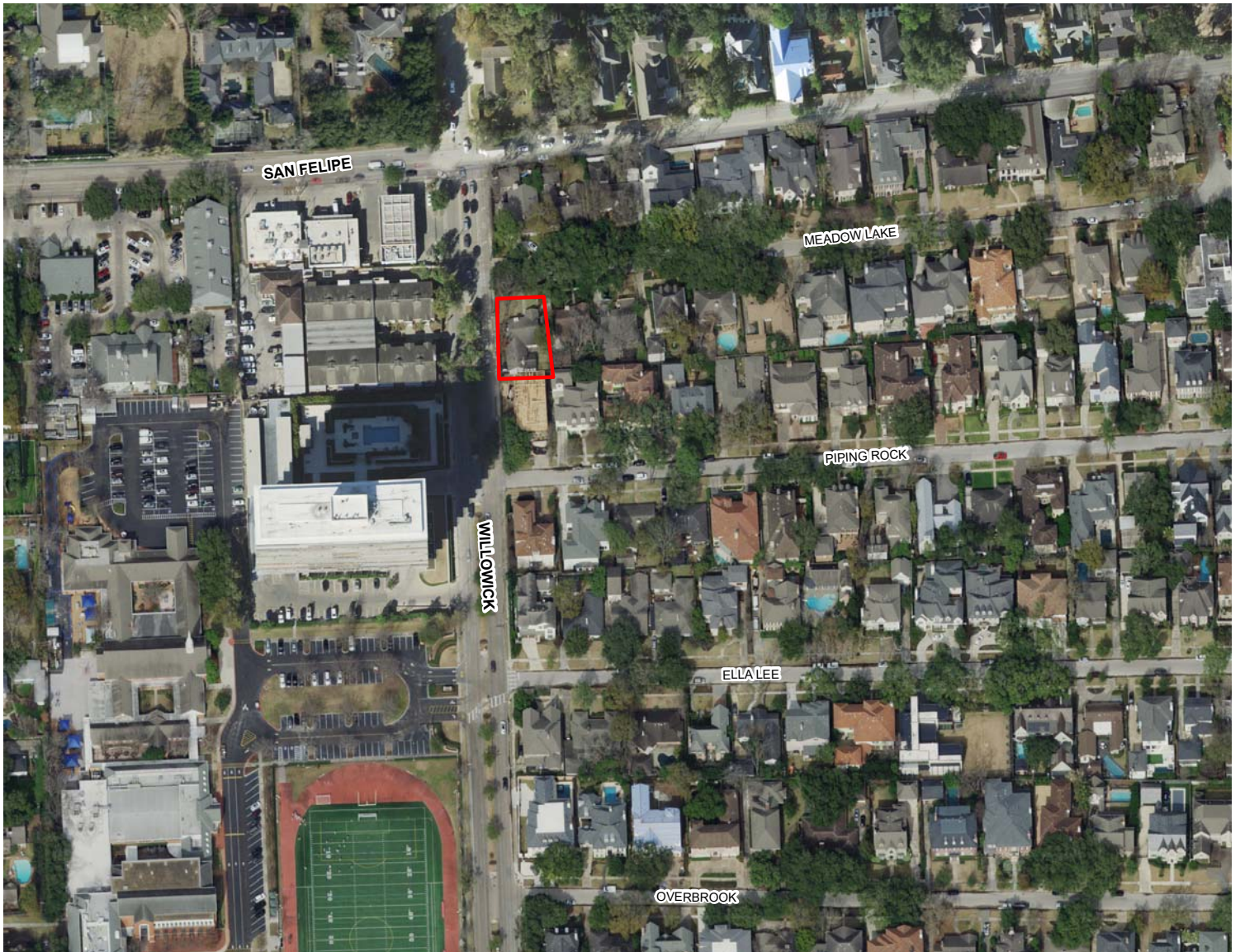
PLANNING &
DEVELOPMENT
DEPARTMENT

ITEM: 117

Meeting Date: 01/23/2020

Houston Planning Commission

Aerial Map



DEVELOPMENT PLAT VARIANCE

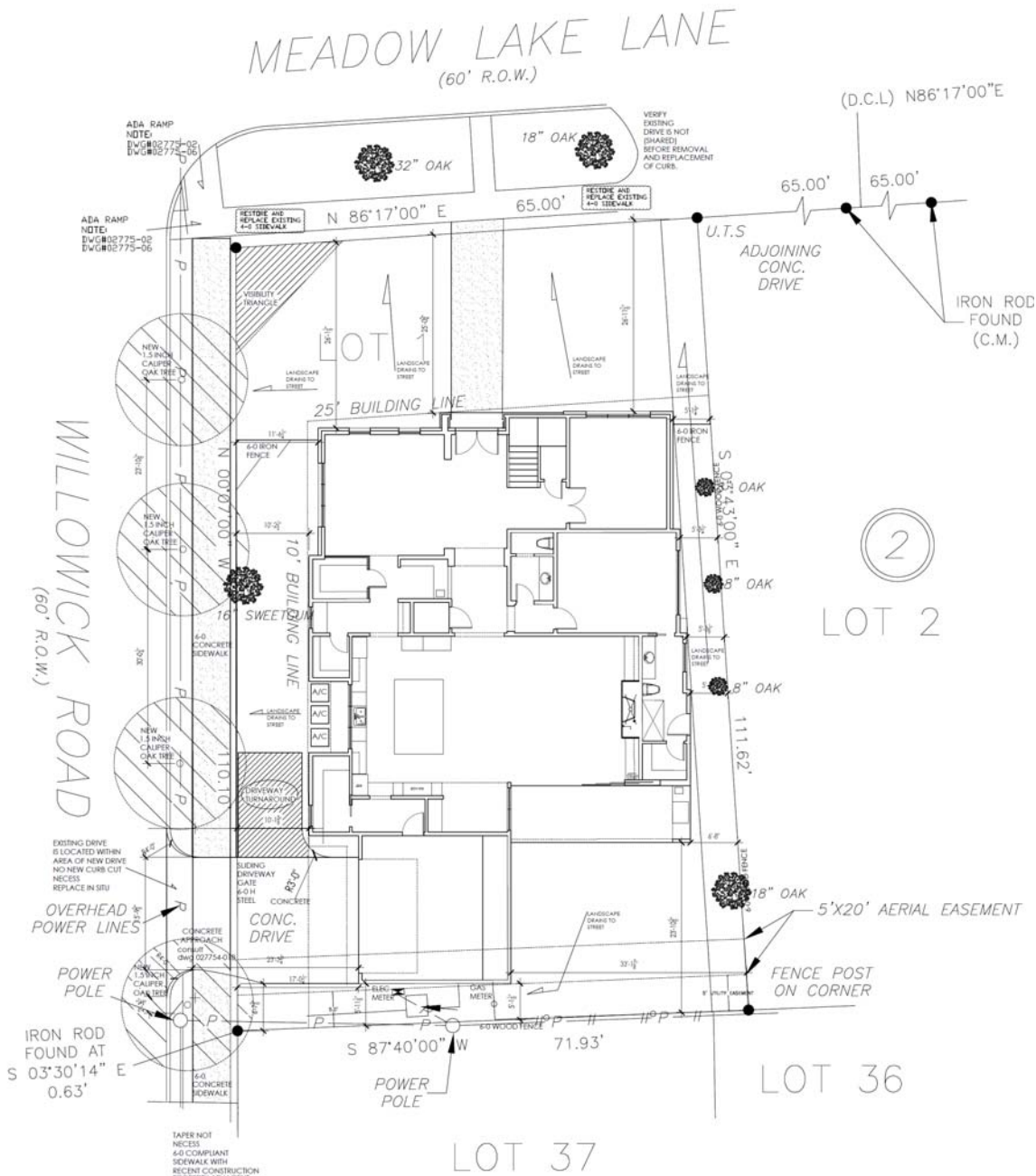


Houston Planning Commission

ITEM: 117

Meeting Date: 01/23/2020

Site Plan



DEVELOPMENT PLAT VARIANCE

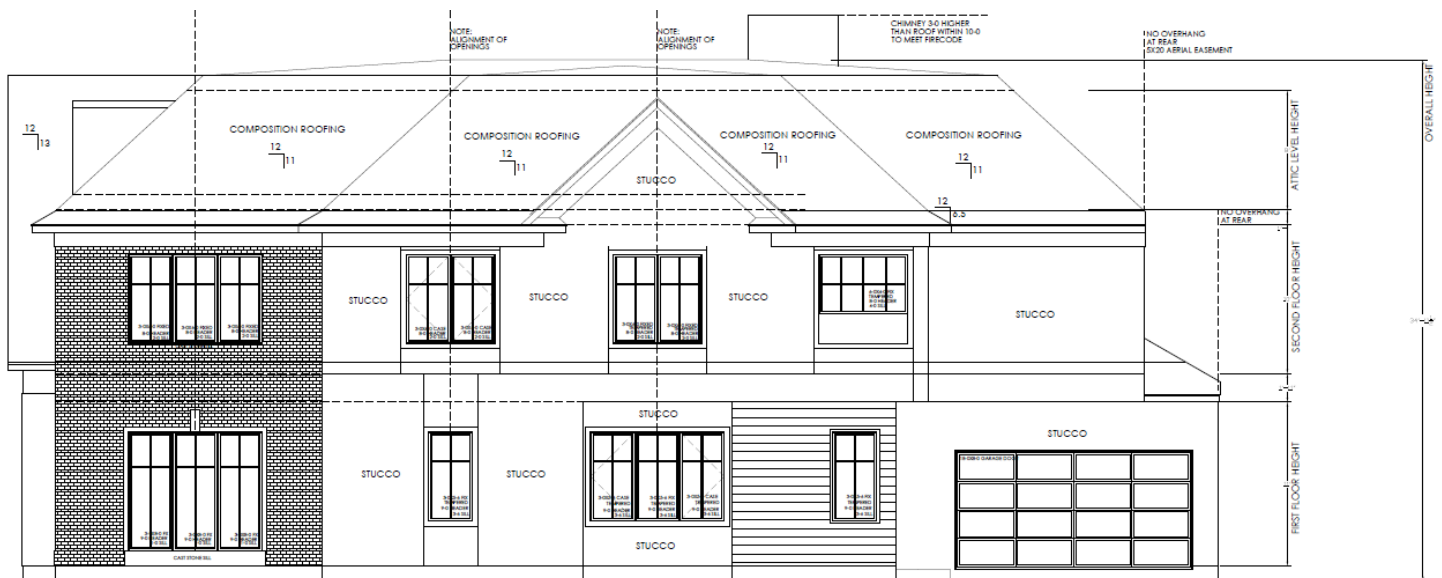


Houston Planning Commission

Elevations



FRONT ELEVATION



RIGHT SIDE ELEVATION

DEVELOPMENT PLAT VARIANCE



Houston Planning Commission

VARIANCE REQUEST APPLICATION

An applicant seeking a variance and/or special exception to the Planning Standards of Chapter 42 of the City of Houston's Code of Ordinances must complete the following application and submit an electronic copy of the Microsoft Word document to the Planning & Development Department at 1002 Washington Avenue 3rd floor prior to 11:00am on the submittal dates adopted by the Houston Planning Commission. For complete submittal requirements, please visit the City of Houston Planning & Development Department website at www.houstonplanning.com.

APPLICANT COMPANY	CONTACT PERSON	PHONE NUMBER	EMAIL ADDRESS		
Collaborative Projects, LLC	Jonas Herd	713.334.9127	jbherd@collpro.com		
PROPERTY ADDRESS	FILE NUMBER	ZIP CODE	LAMBERT	KEY MAP	DISTRICT
2301 University Blvd	19108668	77005	5255	532C	C

HCAD ACCOUNT NUMBER(S):	0600450110024
PROPERTY LEGAL DESCRIPTION:	LT 24 BLK 11 WINDERMERE
PROPERTY OWNER OF RECORD:	Stewart Ventures Ltd
ACREAGE (SQUARE FEET):	7,500 SF
WIDTH OF ADJACENT RIGHTS-OF-WAY (ROW):	University Blvd. – 70' ROW; Greenbriar Dr. – 60' ROW
WIDTH OF EXISTING ROW PAVING SECTION(S):	University Blvd. – 40'; Greenbriar Dr. – 40'
OFF-STREET PARKING REQUIREMENT:	12 Spaces
OFF-STREET PARKING PROVIDED:	10 spaces
LANDSCAPING REQUIREMENTS:	Street Trees – 6, Parking Lot Trees – 1, Shrubs = 60
LANDSCAPING PROVIDED:	Street Trees – 6 (includes existing), Parking Lot Trees – 1 (includes existing), Shrubs = 60

EXISTING STRUCTURE(S) [SQ. FT.]:	1 Story Retail – 2 Buildings – 4,720 sf – TO BE DEMOLISHED
PROPOSED STRUCTURE(S) [SQ. FT.]:	1 Story New Construction Full Service Restaurant – 1,784 sf. with 161 sf patio Note: GFA = 1,660 sf as defined by Chapter 26

PURPOSE OF VARIANCE REQUEST: The purpose of this variance is to request a 10' building line along Greenbriar to utilize a patio cover area and access to building.

DEVELOPMENT PLAT VARIANCE



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CHAPTER 42 REFERENCE(S): Ch 42-152; The portion of a lot or tract that is adjacent to a major thoroughfare shall have a building line requirement of 25 feet unless otherwise authorized by this chapter.

APPLICANT'S STATEMENT OF FACTS

SUMMARY OF VARIANCE CONDITIONS (BE AS COMPLETE AS POSSIBLE):

Collaborative Projects, LLC is working with Stewart Ventures Ltd and 1111 Black Dragon, LLC (dba Rice Box) to build a new construction full service restaurant. The purpose of this variance is to request a variance of the building line setback for use of a covered patio area and access area to the building. Due to the nature of the land size and required spatial needs to run the business effectively, we request allowance of the area shown in the Site Plan for patio and access use. This area is 25'-7 1/2" from the curb line along Greenbriar. This area is not connected to the building structure. Both the flat work for access into building and the patio cover are built separately from the building pier and beam foundation and building itself while maintaining safety for all customers. The City of Houston Health Department requires that patio tables have cover. This is typically accomplished by the use of umbrellas. In this case, we have designed a removeable cover of our own. The lot location is within the 500 year flood plain and given the new requirements post Hurricane Harvey regarding flood control, our proposed building must be elevated. We are requesting the ability to pour flat work that provides the appropriate height access to the building, which is located within the building setback lines.

The applicant bears the burden of providing factual, material, and compelling evidence to support a variance request in the Statement of Facts ("SOF") below. The applicant must write a response to each of the statements as part of their application. Failure to do so will result in the application being deemed incomplete and not placed before the Planning Commission. The applicant may attach additional supporting documents to the application. P&D will not correct, revise, or edit the applicant's information. P&D will formulate its recommendation by evaluating the SOF's information, the additional information provided and any relevant information available to the Department.

(1a) The imposition of the terms, rules, conditions, policies and standards of this chapter would create an undue hardship by depriving the applicant of the reasonable use of the land; or

(1b) Strict application of the requirements of this chapter would make a project infeasible due to the existence of unusual physical characteristics that affect the property in question, or would create an impractical development or one otherwise contrary to sound public policy;

Due to the nature of the land size and required spatial needs to run the business effectively, the imposition of the terms, rules, conditions, policies and standards of this article would create an undue hardship by depriving the applicant of the reasonable use of the land. This is because the nature of the required setbacks and spatial area needs of the restaurant to conduct business successfully given the land size tract do not allow for the ability to maintain appropriate cover of the patio area as required by Health code and access to the building due to height required by location within the 500 year plain.

DEVELOPMENT PLAT VARIANCE



Houston Planning Commission

- (2) **The circumstances supporting the granting of the variance are not the result of a hardship created or imposed by the applicant;**

No hardship is being created or imposed. We have thoroughly utilized and made maximum use of available space and gone through numerous test fits to maintain the ability to conduct business successfully and maintain the safety and well being of the customer base.

- (3) **The intent and general purposes of this chapter will be preserved and maintained;**

The land will be enhanced and made safer for the community. The proposed patio cover can be removed if and when necessary. The design will not restrict visibility across the setback. Furthermore, the access to the patio and building will be protected with the use of guardrails for customer safety. The design creates a more inviting presence for the corner lot.

- (4) **The granting of the variance will not be injurious to the public health, safety or welfare;**

The proposed building, site work, and parking lot will enhance the safety and mobility use of the land location. The scope will not be injurious to the public health, safety or welfare. Improvements to the site development will also bring the location up to current flood control standards thus helping to relieve the adjoining streets from flooding.

- (5) **Economic hardship is not the sole justification of the variance.**

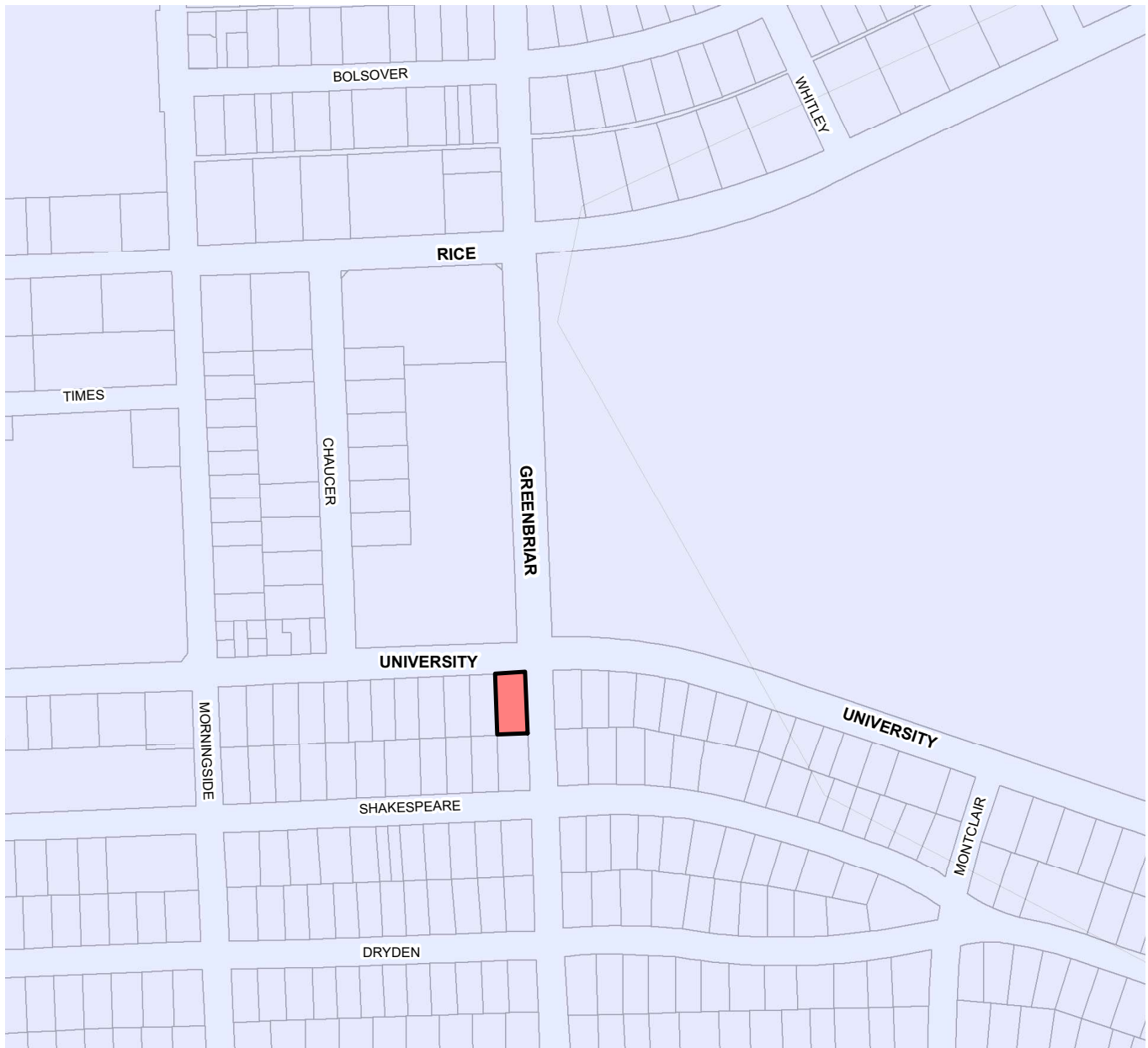
The lot will be redeveloped thoroughly to adhere to all current codes set forth by the IBC and City of Houston. Drainage will be improved, walkability will be enhanced, general site conditions will be made safer for the surrounding community, and landscaping will be added and enhanced. Furthermore, we are willing to make improvements to the sidewalks surrounding the property. Bicycle racks will be added beyond requirement as well. As such, economic hardship is not the sole justification.

DEVELOPMENT PLAT VARIANCE



Houston Planning Commission

Location Map



DEVELOPMENT PLAT VARIANCE



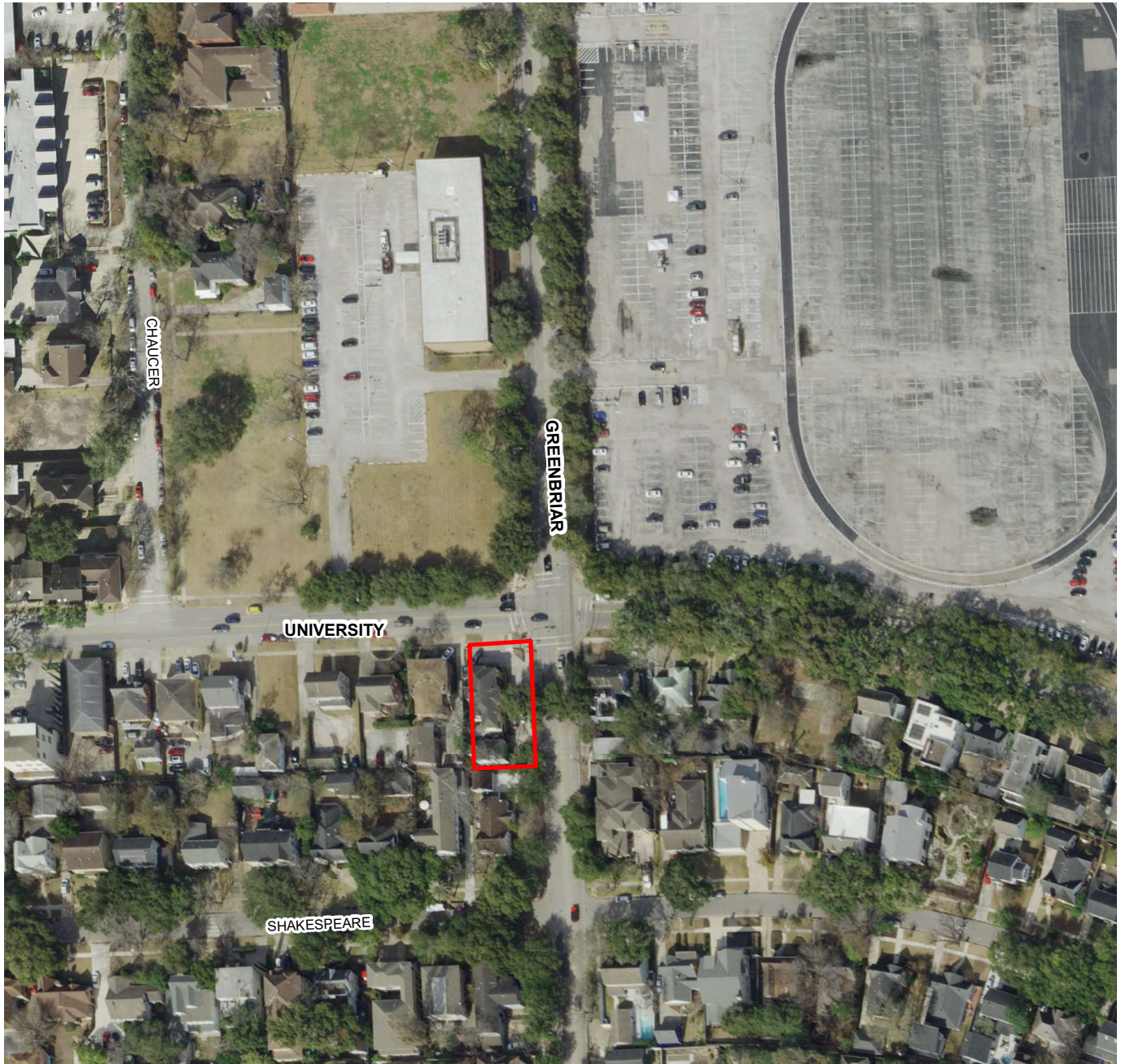
PLANNING &
DEVELOPMENT
DEPARTMENT

ITEM: 118

Meeting Date: 1/23/2020

Houston Planning Commission

Aerial Map



DEVELOPMENT PLAT VARIANCE

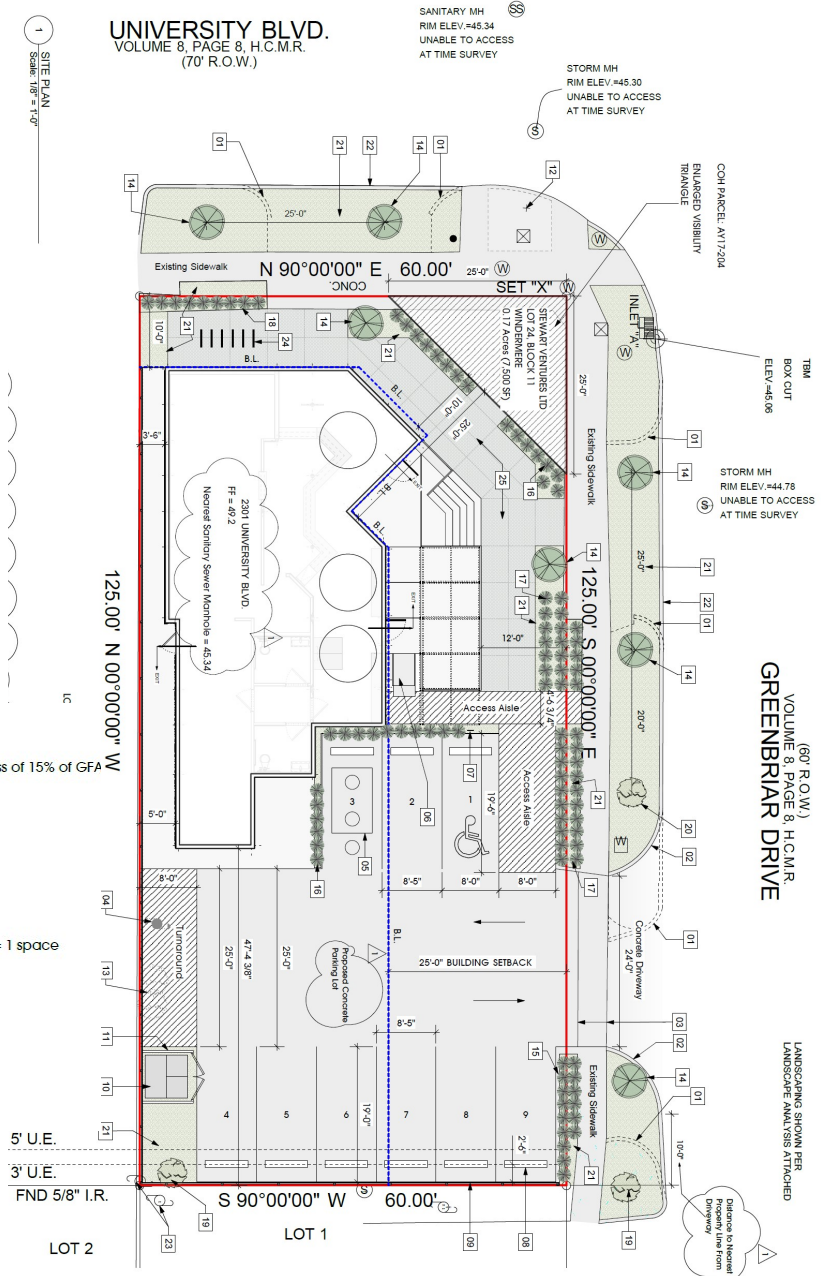


Houston Planning Commission

ITEM: 118

Meeting Date: 1/23/2020

Site Plan



City of Houston Code of Ordinances

Sec. 26-492: Class 7, Food and Beverage (c): Small Restaurant

8.0 parking spaces for every 1,000 square feet of GFA and outdoor decks, patio and seating areas in excess of 15% of GFA

GFA Restaurant Building = 1,660 SF

Patio = 221 SF

Patio is less than 15% of GFA of Building

TOTAL GFA FOR PARKING RESTAURANT = 1,660 SF

$1,660 \text{ SF} / 1000 = 1.660 \times 8.00 = 13.28 \text{ spaces}$

Bicycle Space Reduction (Sec. 26-497)

Max reduction (4 bicycle spaces per one parking space, 10% space reduction max) = 13 spaces * .10 = 1 space

1 space * 4 bicycle spaces = 4 bicycle spaces

Total Parking Required = 13 spaces - 1 space (max bicycle space reduction) = 12 parking spaces

Total Onsite Parking Spaces Provided = 9 Parking Spaces

Total Bicycle Spaces Provided = 12 Bicycle Spaces

Variance Request in Progress for 3 Parking Spaces

DEVELOPMENT PLAT VARIANCE



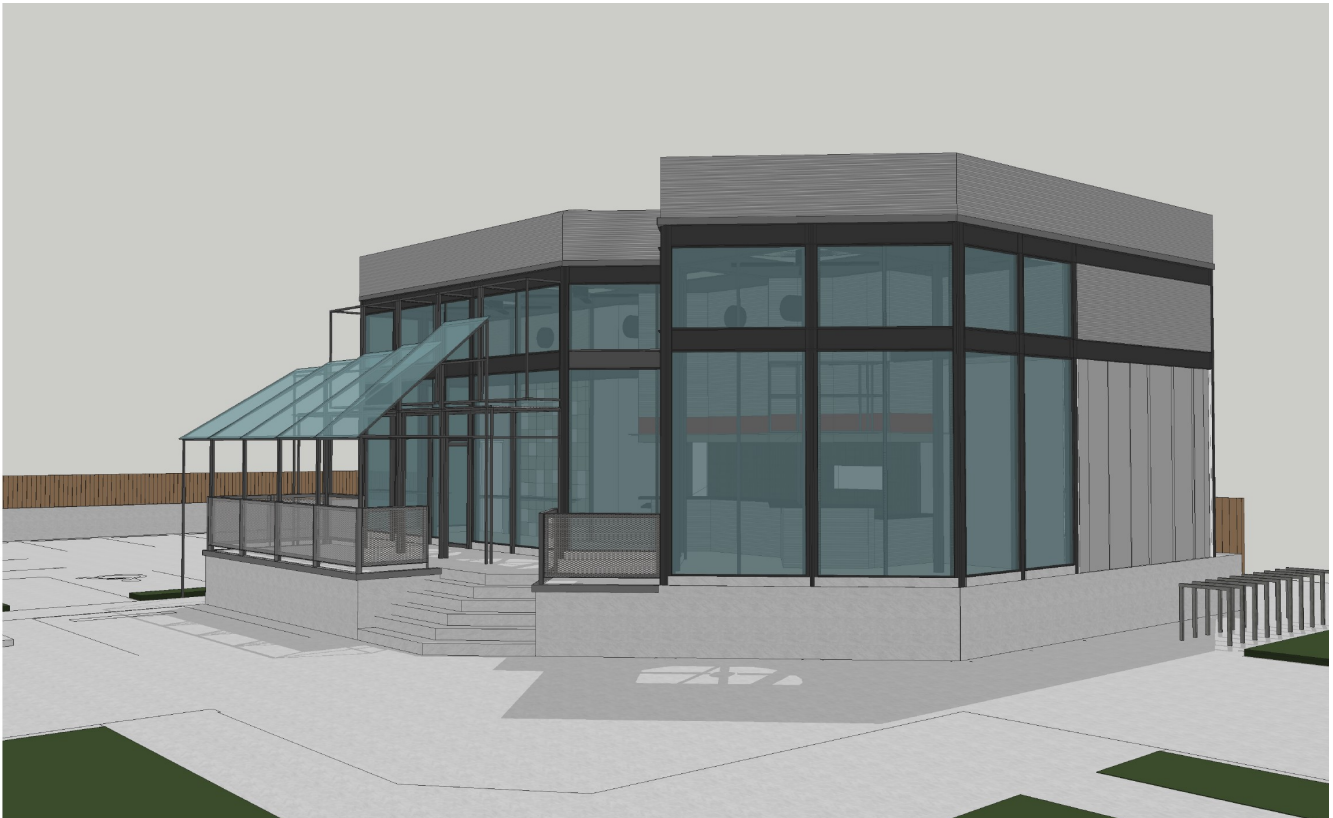
PLANNING &
DEVELOPMENT
DEPARTMENT

ITEM: 118

Meeting Date: 1/23/2020

Houston Planning Commission

Renderings



THE RICE BOX TYPE_04

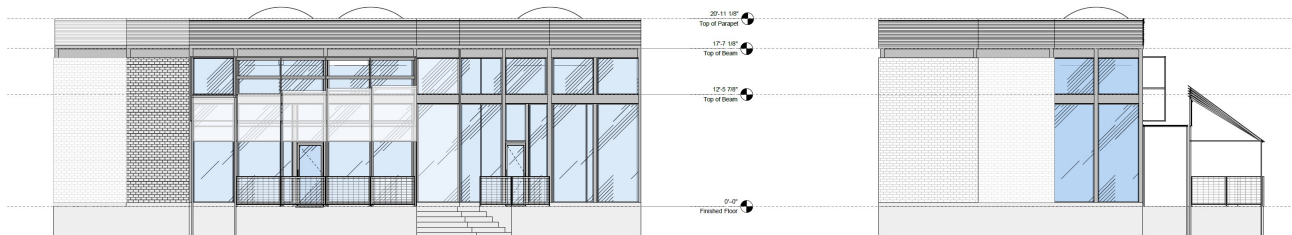
Collaborative Projects, LLC
602 W Gray St. Houston, TX 77019

DEVELOPMENT PLAT VARIANCE



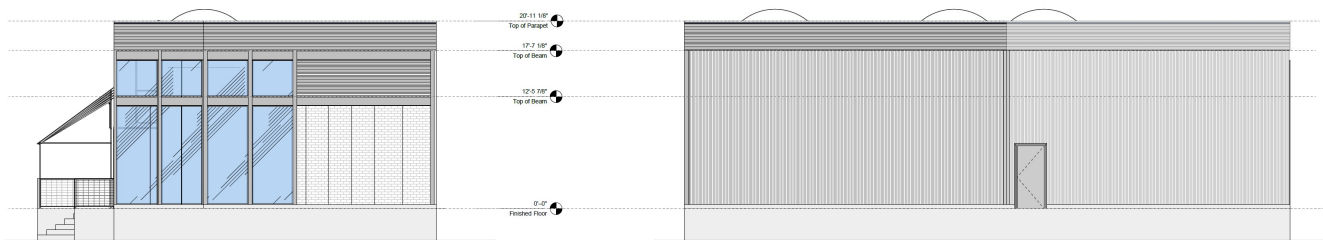
Houston Planning Commission

Elevations



1 Exterior Elevation - East Facing
Scale: 3/16" = 1'-0"

2 Exterior Elevation - South Facing
Scale: 3/16" = 1'-0"



3 Exterior Elevation - North Facing
Scale: 3/16" = 1'-0"

4 Exterior Elevation - West Facing
Scale: 3/16" = 1'-0"

DEVELOPMENT PLAT VARIANCE



Houston Planning Commission

VARIANCE REQUEST APPLICATION

An applicant seeking a variance to the Parking Standards of Chapter 26 of the City of Houston's Code of Ordinances must complete the following application and submit an electronic copy of the Microsoft Word document to planning.variances@houstontx.gov prior to 11:00am on the submittal dates adopted by the Houston Planning Commission for the next available meeting where adequate notification can be provided. For complete submittal requirements, please visit the City of Houston Planning & Development Department website at www.houstonplanning.com.

APPLICANT COMPANY	CONTACT PERSON	PHONE NUMBER	EMAIL ADDRESS		
Collaborative Projects LLC	Jonas Herd	713-334-9127	jbherd@collpro.com		
PROPERTY ADDRESS	FILE NUMBER	ZIP CODE	LAMBERT	KEY MAP	DISTRICT
2301 University Blvd	19108668	77005	5255	532C	C

HCAD ACCOUNT NUMBER(S): 0600450110024
PROPERTY LEGAL DESCRIPTION: LT 24 BLK 11 WINDERMERE
PROPERTY OWNER OF RECORD: Stewart Ventures Ltd
ACREAGE (SQUARE FEET): 7,500 SF
WIDTH OF ADJACENT RIGHTS-OF-WAY (ROW): University Blvd. – 70' ROW; Greenbriar Dr. – 60' ROW
WIDTH OF EXISTING ROW PAVING SECTION(S): University Blvd. – 40'; Greenbriar Dr. – 40'
OFF-STREET PARKING REQUIREMENT: 12 Spaces
OFF-STREET PARKING PROVIDED: 10 spaces

EXISTING STRUCTURE(S) [SQ. FT.]: 1 Story Retail – 2 Buildings – 4,720 sf – TO BE DEMOLISHED
PROPOSED STRUCTURE(S) [SQ. FT.]: 1 Story New Construction Full Service Restaurant – 1,784 sf. with 161 sf patio Note: GFA = 1,660 sf as defined by Chapter 26

PURPOSE OF VARIANCE REQUEST:

The purpose of this variance is to request an off-street parking deduction of 2 spaces as calculated by Chapter 26

CHAPTER 26 REFERENCE(S): 8 parking spaces for every 1,000 square feet of GFA and outdoor decks, patio and seating areas in excess of 15% of GFA

OFF-STREET PARKING VARIANCE



Houston Planning Commission

APPLICANT STATEMENT OF FACTS

SUMMARY OF VARIANCE CONDITIONS (BE AS COMPLETE AS POSSIBLE):

Collaborative Projects, LLC is working with Stewart Ventures Ltd and Black Dragon Village, LLC (dba Rice Box) to build a new construction full service restaurant. The purpose of this variance is to request an off-street parking deduction of 2 spaces as calculated by Chapter 26.

APPLICANT'S STATEMENT OF FACTS:

The applicant bears the burden of providing factual, material, and compelling evidence to support a variance request in the Statement of Facts ("SOF") below. The applicant must write a response to each of the statements as part of their application. Failure to do so will result in the application being deemed incomplete and not placed before the Planning Commission. The applicant may attach additional supporting documents to the application. P&D will not correct, revise, or edit the applicant's information. P&D will formulate its recommendation by evaluating the SOF's information, the additional information provided and any relevant information available to the Department.

(1) Either:

- a. The imposition of the terms, rules, conditions, policies and standards of this article would create an undue hardship by depriving the applicant of the reasonable use of the land; or
- b. Strict application of the requirements of this article would make a project infeasible due to the existence of unusual physical characteristics that affect the property in question or would create an impractical development or one otherwise contrary to sound policy;

The proposed building and parking lot meet requirements set forth by City of Houston Code of Ordinances and all other regulatory codes including 2012 IBC save and except Chapter 26. Due to the nature of the land size and required spatial needs to run the business effectively, the imposition of the terms, rules, conditions, policies and standards of this article would create an undue hardship by depriving the applicant of the reasonable use of the land. This is because the nature of the required setbacks and spatial area needs of the restaurant to conduct business successfully given the land size tract do not allow for the ability to maintain all required off street safely and according to regulatory codes.

(2) That the circumstances supporting the granting of the variance are not the result of a hardship imposed or created by the applicant;

No hardship is being created or imposed. We have thoroughly utilized and made maximum use of available space and gone through numerous test fits to maintain the ability to conduct business successfully and maintain the safety and well being of the customer base.

(3) The intent and general purposes of this article will be preserved;

OFF-STREET PARKING VARIANCE



Houston Planning Commission

The land will be enhanced and made safer for the community. The scope of work includes parking per code size requirements as well as pedestrian friendly and bicycle friendly means of use and access. The scope completely strives to preserve the intent of this article.

(4) The number of proposed parking spaces will be sufficient to serve the use for which it is intended;

Although classified as a small full serve restaurant, 60% of customer orders are take out. We feel the 10 spaces being provided coupled with the high pedestrian volume of the neighborhood and high volume of bicycle use in the neighborhood is sufficient to serve the use for which it is intended.

Total Parking Required = 13 spaces - 1 spaces (max bicycle space reduction) = 12 parking spaces

Total Onsite Parking Spaces Provided = 10 spaces plus 4 bicycle spaces.

(5) The granting of the variance will not be injurious to the public health, safety or welfare; and

The proposed building, site work, and parking lot will enhance the safety and mobility use of the land location. The scope will not be injurious to the public health, safety or welfare. Improvements to the site development will bring the location up to current flood control standards thus helping to relieve the adjoining streets from flooding.

(6) If the building is subject to the requirements of article VII of chapter 33 of this Code, the granting of the variance is necessary to accomplish the purposes of a certificate of appropriateness issued pursuant to article VII of chapter 33 of this Code.

N/A

OFF-STREET PARKING VARIANCE



Houston Planning Commission

STANDARDS FOR VARIANCES

a) The commission is authorized to consider and grant variances from the provisions of this article by majority vote of those members present and voting, when the commission determines that the first five of the following conditions exist, and if applicable, the sixth condition, exists:

- (1) The imposition of the terms, rules, conditions, policies and standards of this article would deprive the owner or applicant of the property of reasonable use of the land or building;
- (2) That the circumstances supporting the granting of the variance are not the result of a hardship imposed or created by the applicant and that in granting the variance the general purposes of this article are being observed and maintained;
- (3) The intent of this article is preserved;
- (4) The parking provided will be sufficient to serve the use for which it is intended;
- (5) The granting of such a variance will not be injurious to the public health, safety or welfare; and
- (6) For a development that is subject to the requirements of article VII, chapter 33, of this Code, the granting of the variance is necessary to accomplish the purposes of a certificate of appropriateness issued pursuant to article VII, chapter 33, of this Code.

(b) In addition, if the variance involves an off-site parking facility, the commission must determine that a proposed off-site parking facility will be located so that it will adequately serve the use for which it is intended. In making this determination, the following factors, among other things, shall be considered:

- (1) The location of the proposed building and the proposed off-site parking facility.
- (2) Existing and potential parking demand created by other occupancies in the vicinity.
- (3) The characteristics of the occupancy, including employee and customer parking demand, hours of operation, and projected convenience and frequency of use of the off-site parking.
- (4) Adequacy, convenience, and safety of pedestrian access between off-site parking and the occupancy.
- (5) Traffic patterns on adjacent streets, and proposed access to the off-site parking.
- (6) The report and recommendation of the director and the traffic engineer.

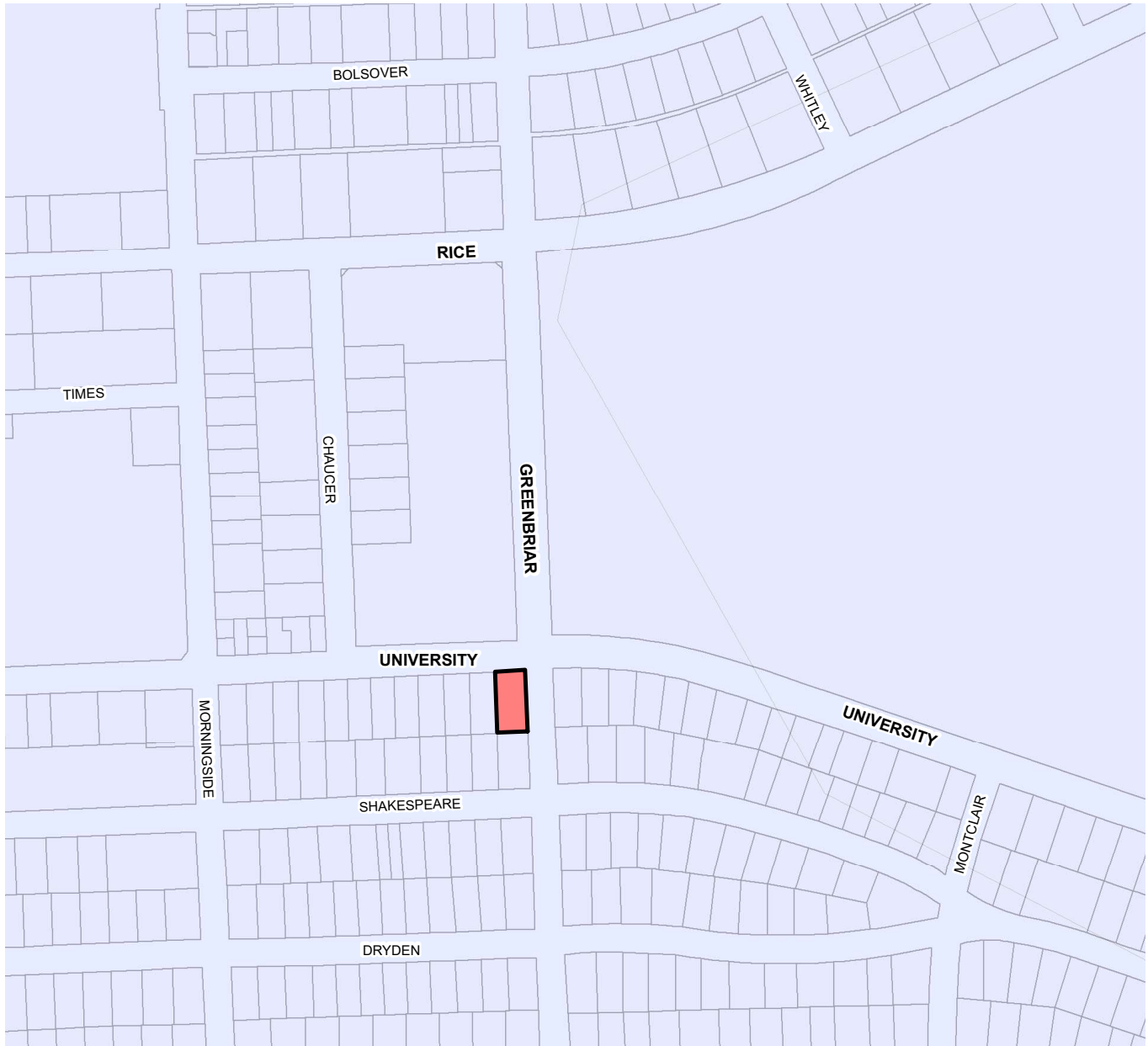
Any variance granted under the provisions of this section will apply only to the specific property and use upon which the commission was requested to grant a variance by the applicant and shall not constitute a change of this article or any part hereof. All variances as granted shall be in writing shall be signed by the secretary of the commission and maintained as a permanent record of the commission.

OFF-STREET PARKING VARIANCE



Houston Planning Commission

Location Map



OFF-STREET PARKING VARIANCE



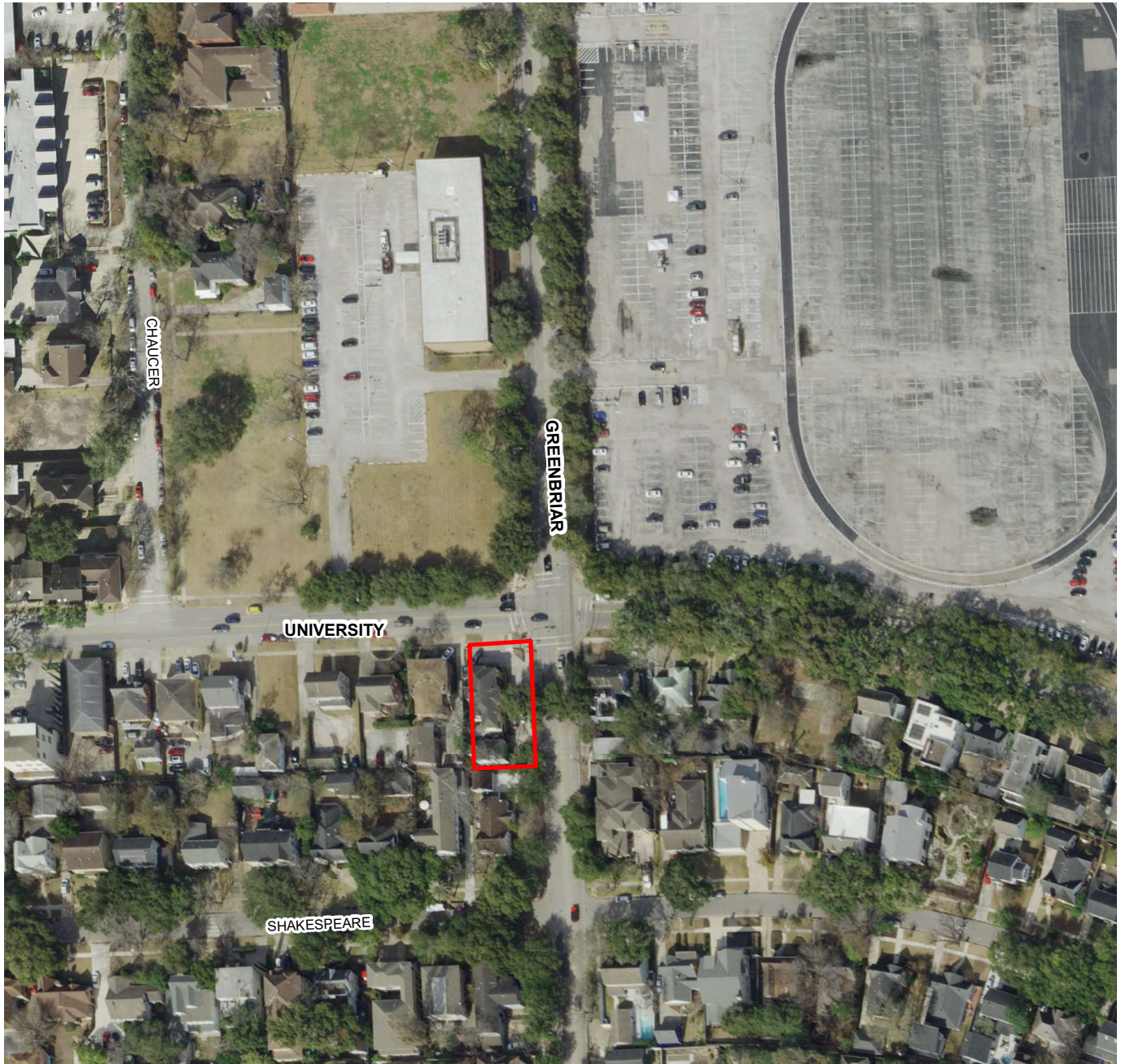
PLANNING &
DEVELOPMENT
DEPARTMENT

ITEM: VII

Meeting Date: 1/23/2020

Houston Planning Commission

Aerial Map

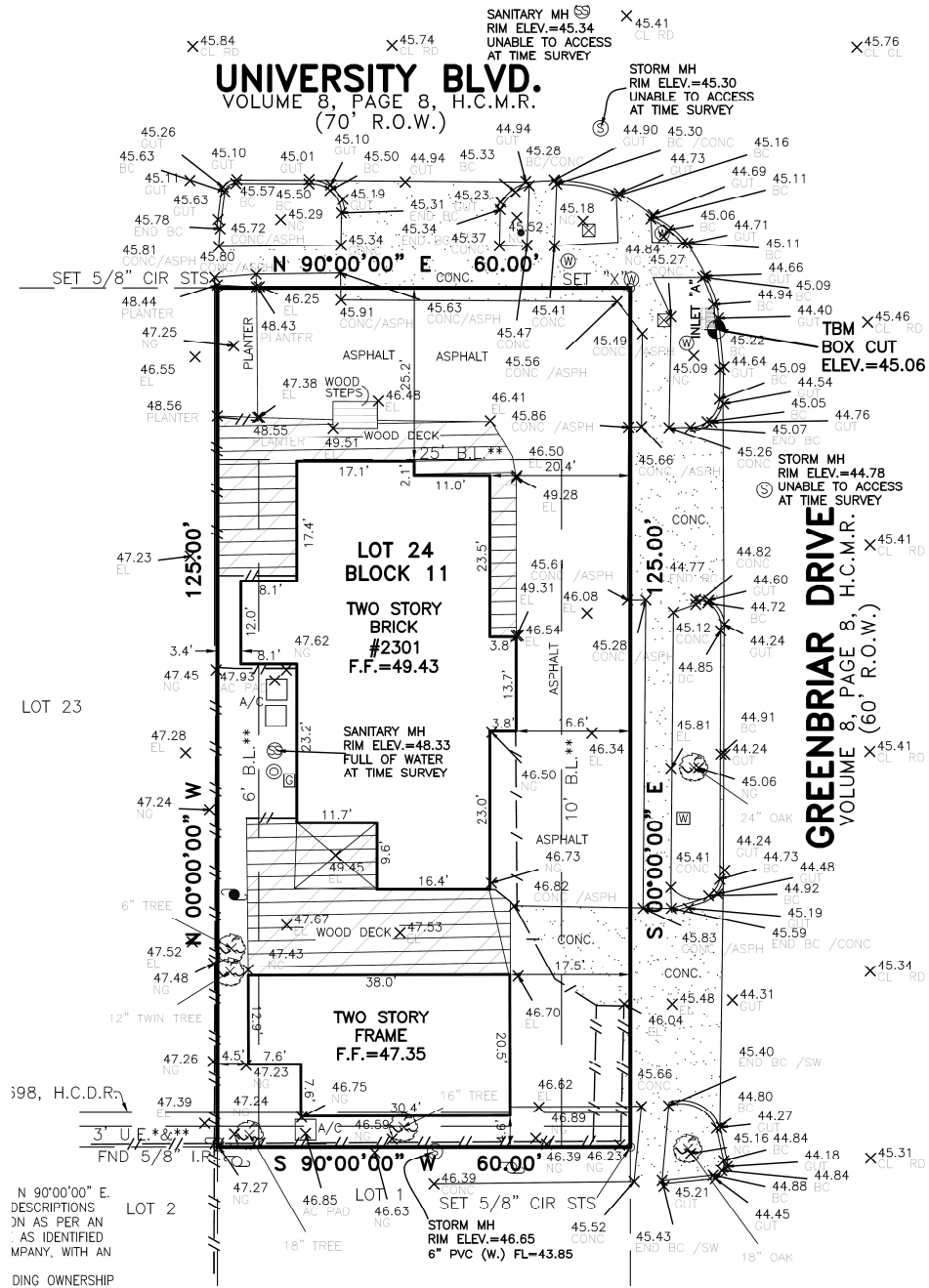


OFF-STREET PARKING VARIANCE



Houston Planning Commission

Survey



OFF-STREET PARKING VARIANCE



Houston Planning Commission

ITEM: VII

Meeting Date: 1/23/2020

Site Plan

City of Houston Code of Ordinances

Sec. 26-492: Class 7, Food and Beverage (c): Small Restaurant

8.0 parking spaces for every 1,000 square feet of GFA and outdoor decks, patio and seating areas in excess of 15% of GFA

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Patio is less than 15% of GFA of Building

TOTAL GFA FOR PARKING RESTAURANT = 1,660 SF

$1,660 \text{ SF} / 1000 = 1.660 \times 8.00 = 13.28 \text{ spaces}$

Bicycle Space Reduction (Sec. 26-497)

Max reduction (4 bicycle spaces per one parking space, 10% space reduction max) = 13 spaces * .10 = 1 space

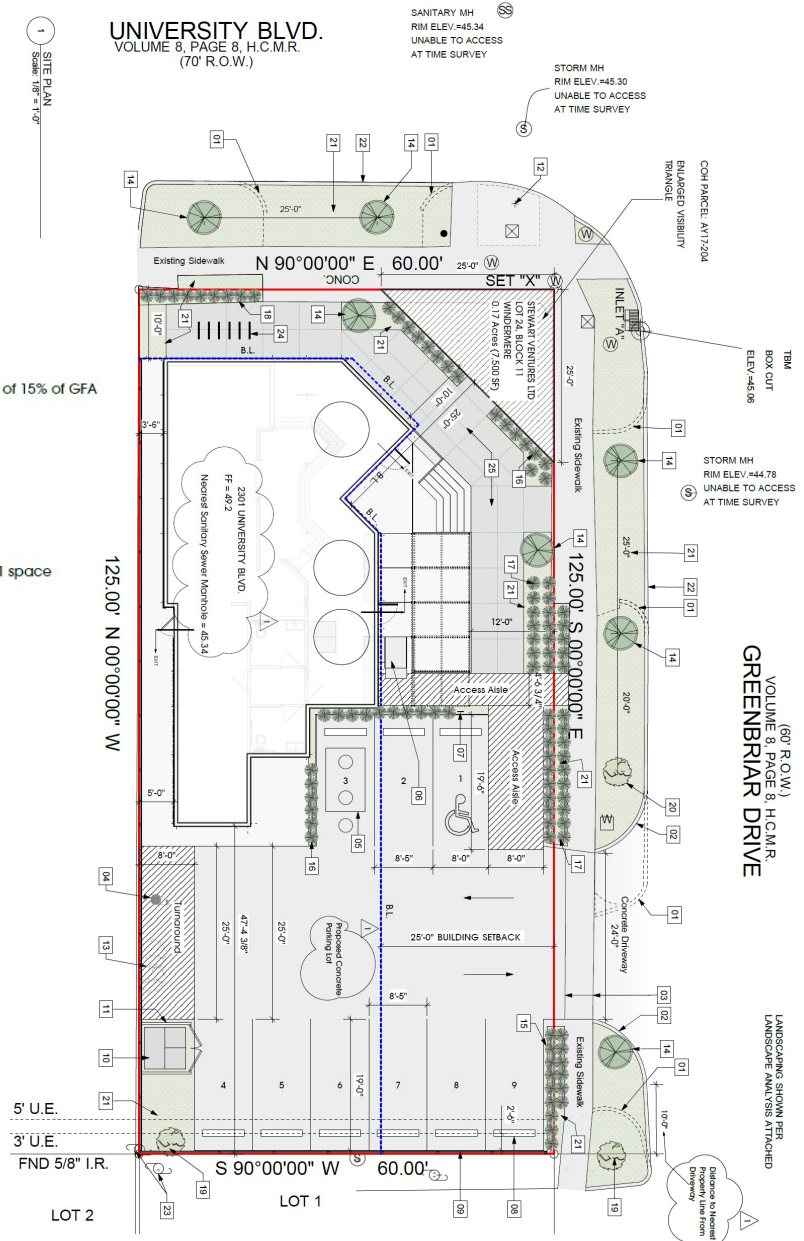
1 space * 4 bicycle spaces = 4 bicycle spaces

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Total Onsite Parking Spaces Provided = 9 Parking Spaces

Total Bicycle Spaces Provided = 12 Bicycle Spaces

Variance Request In Progress for 3 Parking Spaces



OFF-STREET PARKING VARIANCE



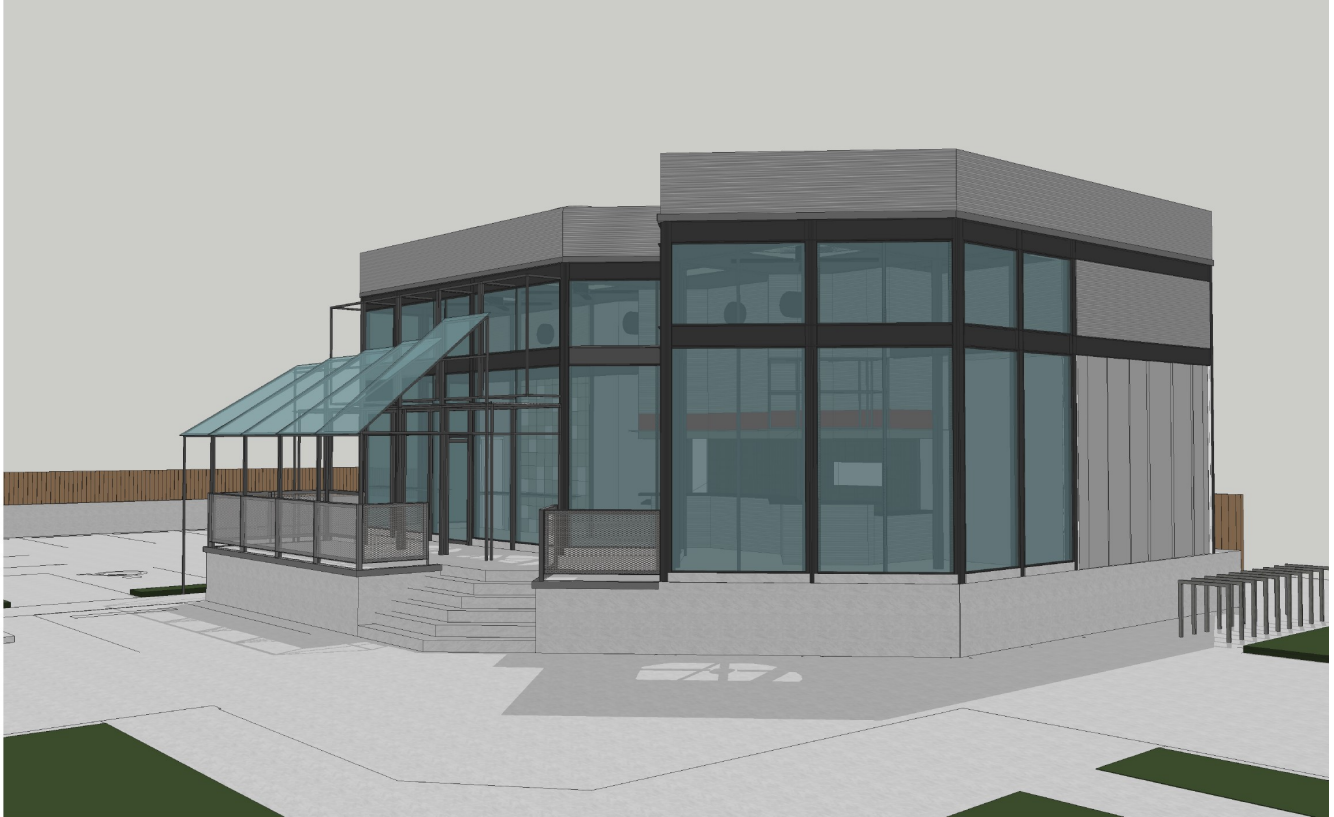
PLANNING &
DEVELOPMENT
DEPARTMENT

ITEM: VII

Meeting Date: 1/23/2020

Houston Planning Commission

Rendering



THE RICE BOX TYPE_04

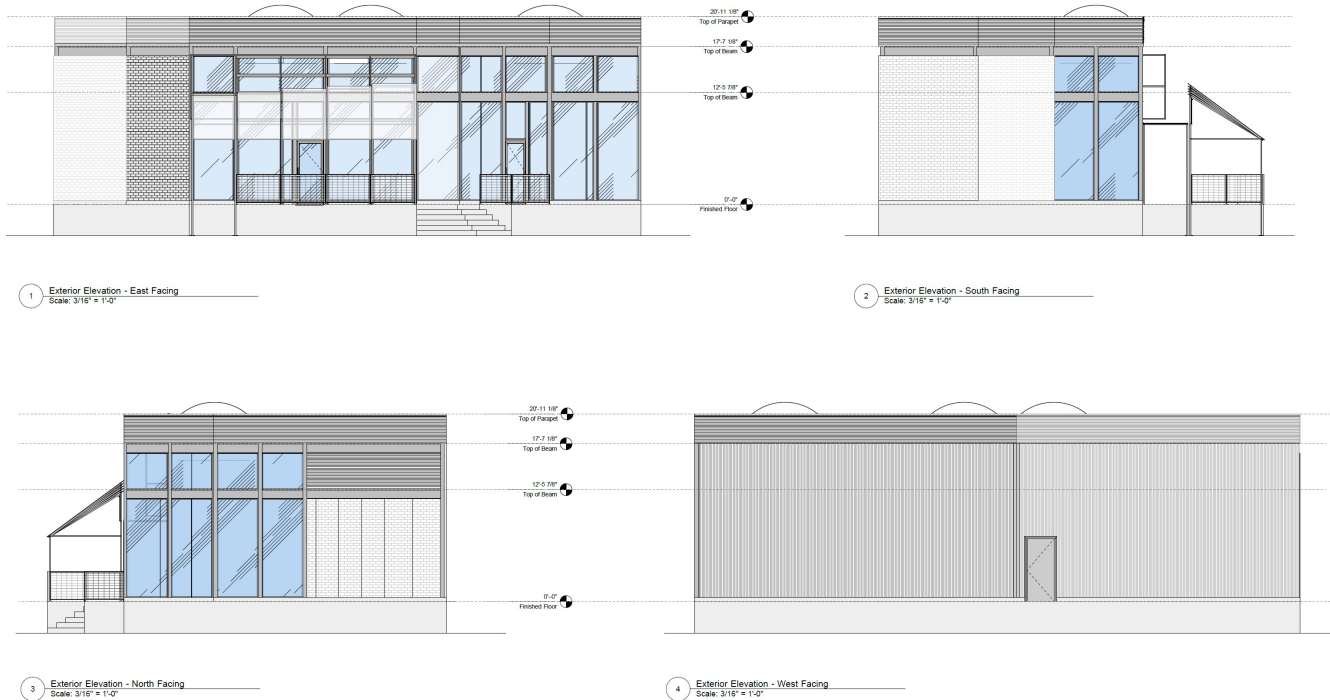
Collaborative Projects, LLC
602 W Gray St. Houston, TX 77019

OFF-STREET PARKING VARIANCE



Houston Planning Commission

Elevations



OFF-STREET PARKING VARIANCE