

# HOUSTON PLANNING COMMISSION

## AGENDA

THURSDAY, MAY 28, 2020  
2:30PM



VIRTUAL ELECTRONIC MEETING

Via: [Join Microsoft Teams Meeting](#)

WEB: <https://bit.ly/3cmQvEO>

OR CALL [+1 936-755-1521](tel:+19367551521)

CONFERENCE ID: 285 411 221#

SUBMIT WRITTEN COMMENTS OR SIGN UP TO SPEAK AT:

[speakercomments.pc@houstontx.gov](https://speakercomments.pc@houstontx.gov)

MAKE COMMENTS BY PHONE AT: 832-393-6624  
(PREFERRED 24 HOURS IN ADVANCE)

# PLANNING COMMISSION MEMBERS



Martha L. Stein, *Chair*  
M. Sonny Garza, *Vice Chair*  
David Abraham  
Susan Alleman  
Bill Baldwin  
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 for virtual meetings:

1. Anyone wishing to speak before the Commission should sign up to speak via phone 832-393-6624 or email [Speakercomments.pc@houstontx.gov](mailto:Speakercomments.pc@houstontx.gov), 24 hours in advance preferred.
2. If the speaker wishes to discuss a specific item on the agenda of the Commission, it should be noted in the email or when the speaker calls.
3. All comments submitted in writing or by phone will be read into the record by staff.
4. Keep your phone or computer on "MUTE" unless identified by the Chair to speak. When your name is called, unmute your phone by pressing your mute button or \*6, or unmute your computer. State your name, spell your last name, and make your comments. When you are done, please mute yourself.
5. If the speaker wishes to discuss any subject not otherwise on the agenda, time will be allocated or allotted after all agenda items have been processed and "public comments" are taken.
6. 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](http://www.houstonplanning.com)

E-mail us at:

Planning and Development

[Anna.Sedillo@houstontx.gov](mailto:Anna.Sedillo@houstontx.gov)

Plat Tracker Home Page:

[www.HoustonPlatTracker.org](http://www.HoustonPlatTracker.org)



## PLANNING & DEVELOPMENT DEPARTMENT

# SPEAKER GUIDELINES

[www.HoustonPlanning.com](http://www.HoustonPlanning.com) or (832) 393-6600

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.**

**Virtual Electronic Meeting Rules:** See adjustments for remote meeting participation on our web pages [www.houstonplanning.com](http://www.houstonplanning.com). You may now submit comments 24 hours in advance, which will be read into the record by staff. Call 832-393-6624 for details or email comments to: [Speakercomments.pc@houstontx.gov](mailto:Speakercomments.pc@houstontx.gov). The Chair may also choose to recognize speakers during the meeting.

**Physical Meeting Rules:** 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.

**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

Due to health and safety concerns related to the COVID-19 coronavirus, the Houston Planning Commission will conduct meetings by videoconference for the duration of social distancing restrictions. The Commission will be participating by videoconference using Microsoft Teams in accordance with the provision of Section 551.127 of the Texas Government Code that have not been suspended by order of the Governor. This platform will allow for two-way video/audio communication with the members of the Houston Planning Commission.

To join the April 30<sup>th</sup> Houston Planning Commission please see the following options:

- Join via Microsoft Teams by installing the Microsoft Teams app; or
- Join via Web Browser: (<https://bit.ly/3cmQvEO>); or
- Join via Phone: [+1 936-755-1521](tel:+19367551521) Conference ID: 285 411 221#

Visit website ([ftp://edrc.houstontx.gov/2020/2020-10\\_DraftAgenda.pdf](ftp://edrc.houstontx.gov/2020/2020-10_DraftAgenda.pdf)) for agenda details.

This online document is preliminary. It may not contain all the relevant materials and information that the Planning Commission will consider at its meeting. The final agenda is posted at City Hall 72 hours prior to the Planning Commission meeting.

## **Houston Planning Commission**

### **AGENDA**

**May 28, 2020 2:30 p.m. via Microsoft Teams**

#### **Call to Order**

**Director's Report**

**Approval of the May 14, 2020 Planning Commission Meeting Minutes**

- I. **Presentation of Public Comments of Chapter 42 Amendments** (Dipti Mathur)
- II. **Consideration of the Proposed Walkable Places and Transit-Oriented Development Ordinances** (Muxian Fang)
- III. **Consideration of the Proposed Hogan, Midtown, Emancipation Walkable Place Pilot Area Plans**(Muxian Fang)
- IV. **Platting Activity (Subdivision and Development plats)**
  - a. Consent Subdivision Plats (John Cedillo)
  - b. Replats (John Cedillo)
  - c. Replats requiring Public Hearings with Notification (Dorianne Powe-Phlegm, Devin Crittle, and Lyndy Morris)
  - d. Subdivision Plats with Variance Requests ( Aracely Rodriguez, Lyndy Morris, Tammi Williamson, Homero Guajardo Alegria, Devin Crittle)
  - e. Subdivision Plats with Special Exception Requests
  - f. Reconsiderations of Requirement (Homero Guajardo Alegria and Geoff Butler)
  - 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 (Geoff Butler, Eric Pietch, Jose Mendoza)
- V. **Establish a public hearing date of June 25, 2020**
  - a. Braeburn Terrace Sec 1 partial replat no 3
  - b. Bridges on Lake Houston Sec 9 partial replat no 1
  - c. Cresmere Place partial replat no 3
  - d. Davidson Heights
  - e. Feldman Court partial replat no 1
  - f. Francis Oak Landing
  - g. Glendower Court partial replat no 4
  - h. Hickory Ridge partial replat no 1
  - i. Hyde Park partial replat no 1
  - j. Langston Place Sec 1 partial replat no 1
  - k. Marvin Gardens partial replat no 1
  - l. Newport Sec 6 partial replat no 2
  - m. North Norhill partial replat no 3

- n. Riverside Terrace Sec 6 partial replat no 2
- o. Sunset Plaza Meadows replat no 1
- p. Usener Addition partial replat no 2
- q. Victoria Court replat no 1
- r. Wells Addition partial replat no
- s. Westheimer Gardens Extension partial replat no 10
- t. Westmore Reserve
- u. Whitney Place West partial replat no 1

**VI. Consideration of an Off-Street Parking Variance for a property located at 1348 Heights Boulevard (Eric Pietsch)**

**VII. Consideration of an Off-Street Parking Variance for a property located at 620 W. 27<sup>th</sup> Street (Jose Mendoza)**

**VIII. Public Comment**

**IX. Adjournment**

## **DRAFT Minutes of the Houston Planning Commission**

(A recording of the full proceedings is on file in the Planning and Development Department)

**May 14, 2020**

Telephonic/Videoconference Meeting held via Microsoft Teams <https://bit.ly/3cmQvEO>  
2:30 p.m.

### **Call to Order**

Chair Martha L. Stein called the meeting to order at 2:48 p.m. with a roll call vote and a quorum present.

Martha L. Stein, Chair  
M. Sonny Garza, Vice Chair  
David Abraham  
Susan Alleman  
Bill Baldwin  
Antoine Bryant  
Lisa Clark  
Rodney Heisch  
Randall L. Jones  
Lydia Mares  
Paul R. Nelson  
Linda Porras-Pirtle  
Kevin Robins  
Ileana Rodriguez  
Ian Rosenberg  
Megan R. Sigler  
Zafar Tahir  
Meera D. Victor  
Scott Cain for  
Commissioner James Noack  
Maggie Dalton for  
The Honorable KP George  
Loyd Smith  
The Honorable Lina Hidalgo

Left at 5:36 p.m. during item 120

Left at 4:04 p.m. during item 103

### **EXOFFICIO MEMBERS**

Carol A. Lewis  
Carol Haddock  
Yuhayna H. Mahmud

### **Executive Secretary**

Margaret Wallace Brown, Director, Planning and Development

### **CHAIR'S REPORT**

The Chair's Report was given by Martha L. Stein, Chair of the Houston Planning Commission. The Chair requested that the Legal Department provide updates regarding virtual meeting procedures.

## DIRECTOR'S REPORT

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

## APPROVAL OF THE APRIL 30, 2020 PLANNING COMMISSION MEETING MINUTES

Commission action: Approved the April 30, 2020 Planning Commission meeting minutes.

Motion: **Clark**

Second: **Tahir**

Vote: **Unanimous**

Abstaining: **None**

### I. PRESENTATION OF PUBLIC COMMENTS OF CHAPTER 42 AMENDMENTS

Item was deferred for a later time.

### II. PRESENTATION OF PUBLIC COMMENTS FOR THE THREE WALKABLE PLACE PILOT AREA PLANS (HOGAN, MIDTOWN, EMANCIPATION)

Presentation was given by Muxian Fang, Planning and Development Department

### III. PLATTING ACTIVITY (Consent and Replat items A and B, 1 – 90)

Items removed for separate consideration: **9, 10, 15, 16, 17, 18, 28, 30, 31, 37, 59 and 83.**

Staff recommendation: Approve staff's recommendations for item(s) 1 - 90 subject to the CPC 101 form conditions.

Commission action: Approved staff's recommendations for item(s) 1 - 90 subject to the CPC 101 form conditions.

Motion: **Baldwin**

Second: **Alleman**

Vote: **Unanimous**

Abstaining: **None**

Staff recommendation: Approve staff's recommendation for items **9, 10, 15, 16, 17, 18, 28, 30, 31, 37, 59 and 83**, subject to the CPC 101 form conditions.

Commission action: Approved staff's recommendations for **9, 10, 15, 16, 17, 18, 28, 30, 31, 37, 59 and 83**, subject to the CPC 101 form conditions.

Motion: **Mares**

Second: **Porras-Pirtle**

Vote: **Carried**

Recused: **Alleman, Dalton Heisch, Jones and Sigler**

## C PUBLIC HEARINGS

### 91 Augusta Addition partial replat no

**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: **Sigler**

Second: **Bryant**

Vote: **Unanimous**

Abstaining: **None**

### 92 Blueridge Sec 2 partial replat no 1

**C3N**

**Withdrawn**

### 93 Craig Woods partial replat no 26.

**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: **Alleman**

Second: **Tahir**

Vote: **Unanimous**

Abstaining: **None**

### 94 East End on the Bayou Sec 3 replat no 1 and extension

**C3N**

**Approve**

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.

**102 Southgate partial replat no 3 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: **Baldwin** Second: **Alleman** Vote: **Unanimous** Abstaining: **None**  
 Speaker: Michael Bonderer and David White, applicant – supportive; Benjamin Bahorich and Jenny Beech – opposed.

**103 Spring Branch Estates no 2 C3N Approve**

**partial replat no 12**

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: **Nelson** Second: **Alleman** Vote: **Unanimous** Abstaining: **None**

**104 Westheimer Gardens partial replat no 10 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: **Jones** Vote: **Unanimous** Abstaining: **None**

**105 Westheimer Gardens partial replat no 4 C3N 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: **Sigler** Second: **Mares** Vote: **Unanimous** Abstaining: **None**

**106 Westheimer Manor partial replat no 2 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: **Jones** Second: **Victor** Vote: **Unanimous** Abstaining: **None**

**107 Wrenwood partial replat no 1 C3N Disapprove**

Staff recommendation: Disapprove the plat.

Commission action: Disapproved the plat.

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

Speakers: Ann Givens, (Natalie Fernandez, Richard Waziak, Thomas Hendrickson, Lucy Liwak, Teresa Dutta and Thomas Lee St. John comments were read by staff) – opposed.

**D VARIANCES**

**108 Bass Enclave C2R Defer**

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

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

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

**109 Bridgeland Prairieland Village C2 Approve**  
**Lift Station no 2**

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: **Clark** Second: **Porras-Pirtle** Vote: **Unanimous** Recused: **Heisch**

**110 Dwell at Lake Houston C2 Approve**

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: **Mares** Second: **Jones** Vote: **Unanimous** Abstaining: **None**



**111 Engelke Place** **C2R** **Approve**  
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: **Baldwin** Second: **Jones** Vote: **Unanimous** Abstaining: **None**

**112 Houston Heights partial replat no 27** **C2R** **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: **Baldwin** Second: **Tahir** Vote: **Unanimous** Abstaining: **None**  
Speakers: Theo Lawrence, Mark Williamson and (Donna Bennett's comments read by staff) - opposed.

**113 Houston Texas Fire Fighters** **C2R** **Defer**  
**Federal Credit Union North**  
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: **Bryant** Second: **Alleman** Vote: **Unanimous** Abstaining: **None**

Items 114 and 115 were taken together at this time.

**114 Katy Legacy GP** **GP** **Approve**  
**115 Katy Legacy Sec 1** **C3P** **Approve**  
Staff recommendation: Deny the variance(s) to exceed intersection spacing along Peek Road and along the western boundary and grant the variance to exceed intersection spacing along Stockdick School Road and approve the plats subject to the CPC 101 form conditions.  
Commission action: Denied the variance(s) to exceed intersection spacing along Peek Road and along the western boundary and granted the variance to exceed intersection spacing along Stockdick School Road and approved the plats subject to the CPC 101 form conditions.  
Motion: **Mares** Second: **Bryant** Vote: **Carried** Opposing: **Clark and Smith**  
Speaker: Shawn Massock, applicant - supportive

**116 Paloma Estates** **C2R** **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: **Bryant** Second: **Clark** Vote: **Unanimous** Abstaining: **None**

**E SPECIAL EXCEPTIONS**  
**NONE**

**F RECONSIDERATION OF REQUIREMENTS**

**117 Allison Park** **C3R** **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: **Abraham** Second: **Tahir** Vote: **Unanimous** Abstaining: **None**  
Speaker: Leesa Love – no position stated.

**118 East Heights at Airline** **C3P** **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: **Nelson**

Second: **Clark**

Vote: **Unanimous**

Abstaining: **None**

**119 Heritage Senior Residence**

**C2**

**Defer**

Staff recommendation: Defer the application for two weeks to give the applicant time to submit additional information.

Commission action: Deferred the application for two weeks to give the applicant time to submit additional information.

Motion: **Abraham**

Second: **Clark**

Vote: **Unanimous**

Abstaining: **None**

Speakers: Mike VanDusen, Charles Albrecht and Chris Guenther – opposed.

**120 Republic Business Center**

**C2**

**Approve**

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: **Jones**

Second: **Garza**

Vote: **Unanimous**

Abstaining: **None**

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

**G EXTENSIONS OF APPROVAL**

<b>121</b>	<b>Balmoral Woodland Hills Reserve</b>	<b>EOA</b>	<b>Approve</b>
<b>122</b>	<b>Balmoral Plaza North</b>	<b>EOA</b>	<b>Approve</b>
<b>123</b>	<b>Balmoral Plaza South</b>	<b>EOA</b>	<b>Approve</b>
<b>124</b>	<b>Bridgeland Parkland Village Sec 43</b>	<b>EOA</b>	<b>Approve</b>
<b>125</b>	<b>Bridgeland Parkland Village Sec 44</b>	<b>EOA</b>	<b>Approve</b>
<b>126</b>	<b>Bridgeland Parkland Village Sec 45</b>	<b>EOA</b>	<b>Approve</b>
<b>127</b>	<b>Cypress Fairbanks ISD Perry Road Sec 1 replat no 1 and extension</b>	<b>EOA</b>	<b>Approve</b>
<b>128</b>	<b>Development at FM 2920</b>	<b>EOA</b>	<b>Approve</b>
<b>129</b>	<b>East River Sec 1</b>	<b>EOA</b>	<b>Approve</b>
<b>130</b>	<b>East River Sec 2</b>	<b>EOA</b>	<b>Approve</b>
<b>131</b>	<b>Greens Road Street Dedication Sec 3</b>	<b>EOA</b>	<b>Approve</b>
<b>132</b>	<b>Hiram Center</b>	<b>EOA</b>	<b>Approve</b>
<b>133</b>	<b>Katy Lakes Sec 3</b>	<b>EOA</b>	<b>Approve</b>
<b>134</b>	<b>Niko Nikos Restaurant partial replat no 1</b>	<b>EOA</b>	<b>Approve</b>
<b>135</b>	<b>Waterview Town Center Movie Theater</b>	<b>EOA</b>	<b>Approve</b>
<b>136</b>	<b>Wayside Village Sec 9</b>	<b>EOA</b>	<b>Approve</b>
<b>137</b>	<b>Wayside Village Sec 12</b>	<b>EOA</b>	<b>Approve</b>

**H NAME CHANGES  
NONE**

**I CERTIFICATES OF COMPLIANCE**

<b>138</b>	<b>27216 Royal Coach</b>	<b>COC</b>	<b>Approve</b>
<b>139</b>	<b>21088 South St</b>	<b>COC</b>	<b>Approve</b>
<b>140</b>	<b>25389 Red Bird Ln</b>	<b>COC</b>	<b>Approve</b>
<b>141</b>	<b>991 Northpark Drive</b>	<b>COC</b>	<b>Approve</b>

Staff recommendation: Approve staff's recommendation for items 120-140.

Commission action: Approved staff's recommendation for items 120-140.

Motion: **Bryant**

Second: **Porras-Pirtle**

Vote: **Carried**

Abstaining: **Alleman 127**

**Heisch 124-126, 129 and 130, Sigler 129 and 130**

**J ADMINISTRATIVE  
NONE**

**K DEVELOPMENT PLATS WITH VARIANCE REQUESTS**

**142 5230 Redstart Street**

**DPV**

**Defer**

Staff recommendation: Defer the application for two weeks per Council Member Castex-Tatum's request.

Commission action: Deferred the application for two weeks per Council Member Castex-Tatum's request.

Motion: **Garza**

Second: **Baldwin**

Vote: **Unanimous**

Abstaining: **None**

Speakers: Justin Hill, owner – supportive; Cindy Chapman – opposed.

**IV. ESTABLISH A PUBLIC HEARING DATE OF JUNE 11, 2020 FOR:**

- a. Acre Villa of Park Place partial replat no 1
- b. Braburn Terrace Sec 1 partial replat no 2
- c. Craig Woods partial replat no 27
- d. Enchanted Oaks Sec 2 partial replat no 1 and extension
- e. Long Point Acres partial replat no 6
- f. Washington Terrace partial replat no 6
- g. Washington Terrace partial replat no 7
- h. Washington Terrace partial replat no 8

Staff recommendation: Establish a public hearing date of June 11, 2020 for item IV a-h.

Commission action: Established a public hearing date of June 11, 2020 for item IV a-h.

Motion: **Sigler**

Second: **Nelson**

Vote: **Unanimous**

Abstaining: **None**

**V. CONSIDERATION OF AN OFF-STREET PARKING VARIANCE LOCATED AT 4620  
CENTER STREET**

Staff recommendation: Deny the off-street parking variance.

Commission action: Denied the off-street parking variance.

Motion: **Mares**

Second: **Nelson**

Vote: **Carried**

Abstaining: **None**

Roll call vote: Commissioners Garza, Alleman, Bryant, Clark, Heisch, Jones, Mares, Nelson, Porras-Pirtle, Robins, Sigler and Victor voting for the motion and Abraham, Baldwin, Rodriguez, Rosenberg, Tahir, and Smith voting against the motion.

Speakers: Devin Robinson, applicant and Melissa Buhrig – supportive; Jeff Shkolnick – opposed.

**VI. PUBLIC COMMENT  
NONE**

**VII. ADJOURNMENT**

There being no further business brought before the Commission, Chair Martha L. Stein adjourned the meeting at 6:22 p.m.

Motion: **Clark**

Second: **Jones**

Vote: **Unanimous**

Abstaining: **None**

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**Martha L. Stein, Chair**

**Margaret Wallace Brown, Secretary**

## Chapter 42 amendments

### Public Comment Matrix with Staff Recommendations

May 14, 2020



PLANNING &  
DEVELOPMENT  
DEPARTMENT

#	Topic	Section(s)	Comment Summary	Staff Recommendation
1	Notification requirements		The proposed changes for notification requirements give the appearance of the City's adoption of different standards for development within its city limits and in the ETJ	<b>No Change.</b> This comment addresses a bigger legal question and the city of Houston will provide an official response in a separate letter.
2		42-49 (a), Page 2, Lines 25-28	Clarify- preceding plat. Does face of the plat single family restriction require PH with notification?	<b>Amend.</b> Revise language and clarify that PH is required if any preceding plat was ever restricted to single family residential use by the face of the plat restrictions or deed restrictions.
3		42-49 (d) Page 3, Line 11-12 and 42-83 (d) Page 4, Lines 34-35	Sign removal after the commission action must be within 45-60 days and not 30 days as proposed. It is more economical for the land owner to wait until clearing contractor arrives to clear the land and remove the signs.	<b>Amend.</b> Revise the ordinance to allow 60 days from the commission action for the removal of the notification signs.

4		42-49 (d)	Make notice sign requirements for Public Hearing and Variance applications the same.	<b>Amend.</b> Revise the ordinance to add the variance sign requirements to the public hearing sign requirements.
5		42-49 (e) Page 3, Line 13-19	The notification area should be calculated by lot sizes rather than a fixed radius to account for varying population density throughout the city.	<b>No Change.</b> All PH, VAR, SP notification will be posted on the department's website for ease of use and sharing purposes for the neighborhoods 20 days prior to the commission meeting. The additional time and website posting would allow time for the information to reach to more residents than just within the notification area. These changes will also allow the neighborhoods reasonable time to meet and prepare for the planning commission meetings.
6			Notification area must extend to at least one mile when the lot sizes are big.	
7			SMLSA areas must require notification when any property is replatted within its boundaries. The notification area should cover 1/2-mile radius.	<b>No Change.</b> This request will require a sub-committee level discussion.
8		42-49 (f) Page 3, Line 13-19	Add Civic Associations and Super neighborhoods to the notification list.	<b>Amend.</b> Add Super-neighborhoods to the list of organizations to be notified. Neighborhood associations including registered civic associations are already part of the existing organizations who are notified per the current ordinance. Additionally, notification will also be available on Department's website for civic associations and other organizations to follow.

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9	PH process	42-84 (a)	Clarify language to exclude variance with no Public hearings from requiring supermajority vote.	<b>Amend.</b> Add language to 42-84 - to include proposed replats requiring PH per 42-49. No affirmative vote is required for plats that do not require PH.
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# Walkable Places (WP) and Transit-Oriented Development (TOD) Ordinances

## Public Comment Matrix with Staff Recommendations and Corresponding Ordinance Amendments

May 28, 2020



#	Topic	Comment Summary	Section(s)	Staff Recommendation	Proposed Ordinance Amendments
1	TOD Street Designation Criteria	Allow the designation of Secondary TOD Streets near high frequency bus routes and METRONext high capacity projects when METRO approves the proposed route and stations with 30% design.	33-444	<b>No Change.</b> The current scope is designed to support substantial public investment in light rail (METRORail) and bus rapid transit (METRORapid) infrastructure. Further evaluation and public engagement are needed before expanding TOD rules to other transit facilities.	<b>No Change.</b>
2		Allow the designation of Secondary TOD Streets near METRO Park and Ride facilities.	33-444		
3		Allow Primary TOD Streets along University Line with this adaptation of the TOD Plan.	33-445	<b>No Change.</b> It's premature to establish Primary Streets and the corresponding mandatory rules before the transit station locations along University Line are finalized and a contract to build the transit infrastructure is approved by METRO.	<b>No Change.</b>
4		It is unclear what is meant by "Infrastructure Design Manual standards".	33-444(7)	<b>Amend.</b> Clarify the criterion focus is on the width of the roadway and location of the back-of-curb or roadway edge, as applicable.	<b>Amend.</b> Orange fonts on P20-21, Line 816 - 819
5		Allow open ditch streets to be eligible for TOD Street designation.	33-444(6)	<b>Amend.</b> Allow open ditch streets to be eligible for TOD street designation.	<b>Amend.</b> Orange fonts on P20, Line 814. Add the pedestrian realm width requirement for open ditch streets designated as Secondary TOD Streets. Orange fonts on P43, Line 1601.
6		Include downtown transit stations into the TOD Street designation process.		<b>No Change.</b> All properties in downtown are within the designated Central Business District (CBD). This designation exempts development from building setback and off-street parking requirements, which are key components of the TOD rules. In addition, the minimum width of a sidewalk in the CBD under Chapter 40 (PG30, Line 1304) is 8' which exceeds the 6' standard required by the TOD rules. The CBD designation covers all streets in downtown, but the TOD Street designation would not. Therefore, the more inclusive CBD designation is the appropriate set of rules to apply to downtown.	<b>No Change.</b>



7		Include Midtown transit stations into the TOD Street designation process.		<p><b>No Change.</b> There is a concurrent proposal to designate Midtown streets as part of the Midtown Walkable Place Pilot Area. The WP Street designation is designed to create context-sensitive rules and therefore will supersede any TOD Street designation that may otherwise apply. If no WP Streets are designated, the Midtown transit stations would be considered for TOD Street designation.</p> <p>TOD Street designation also allows an automatic off-street parking reduction which does not apply to WP Streets. In 2019, City Council addressed the off-street parking requirements for Midtown when it approved market-based parking for the area. At that time, several streets in the southeast part of Midtown were intentionally removed from the market-based parking designation. Designating these streets as TOD Streets will allow off-street parking reduction, which will contradict with the previous City Council action.</p>	<b>No Change.</b>
8	WP Designation Consideration	Support of property owners along WP Streets should be considered during City-initiated designations.	33-423(e)	<p><b>Amend.</b> Revise the ordinance language as “The commission shall hold at least one public hearing on the proposed WPP amendment. Upon the close of the public hearing, the commission shall consider public comments, <u>support from property owners along the proposed WP Streets</u>, and the recommendation of the planning official and determine whether the proposed WPP furthers the objectives and intent of this division.”</p>	<p><b>Amend.</b> Orange fonts on P17, Line 641</p>
9	TOD Parking	The additional buildable area achieved by opting into the TOD rules should be exempted from off-street parking requirements.	26-503	<p><b>Amend.</b> Exempt the additional buildable area achieved by opting into the TOD rules along a designated Secondary TOD Street from off-street parking requirements. The 50% reduction currently proposed will only apply to the remainder of the development.</p>	<p><b>Amend.</b> Orange fonts on P4 - 5, Line 138 - 149</p>
10		Establish market-based parking along Secondary TOD Streets.	26-503	<p><b>No Change.</b> Further evaluation and public engagement are needed. Until then, market-based parking will be limited to streets nearest to transit stations (Primary TOD Streets).</p>	<b>No Change.</b>
11		Prohibit on-street parking along streets to minimize congestion and protect the adjacent neighborhood.	26-503	<p><b>No Change.</b> Depending on the street conditions, the Traffic Engineer has the authority to establish a “no parking zone” or other parking restrictions when conditions warrant. In addition, residents may apply for Residential Parking Permit to preserve certain residential streets in their neighborhood.</p>	<b>No Change.</b>
12	WP Parking	Automatically authorize a 50% parking reduction along the designated WP Streets.	26-510	<p><b>No Change.</b> The WP Street designation is eligible citywide; therefore, an automatic reduction in off-street parking may not be appropriate for certain streets. The current proposal allows for a streamlined Special Parking Area designation to occur simultaneously with the WP designation; thereby allowing a context sensitive approach for off-street parking requirements</p>	<b>No Change.</b>
13		The additional buildable area achieved by opting into the Walkable Places Ordinance shall be exempted from parking space requirements.			
14		Remove all parking minimums.			

15	Bicycle Parking	Need to encourage more bicycle riders.	Previous 33-634, Current 42-654	<b>No Change.</b> The proposed ordinance requires additional bicycle parking for non-single-family residential uses along TOD and WP Streets.	<b>No change on the ordinance language</b> , but the section is moved to 42-654 as the previous Chapter 33 Article X Enhanced Pedestrian Realm Standards is moved to Chapter 42 Article IV.
16	Ground Floor Facade	Increase ground floor façade transparency along WP and TOD Streets to 40-60% for non-single-family residential uses.	Previous 33-631, Current 42-651	<b>Amend.</b> 1. A minimum of 50% of the ground floor façade along a primary street. 2. A minimum of 40% of the ground floor façade along a secondary street. 3. A building that fronts three or more WP or TOD Streets may have one (1) non-primary street that is exempt from the transparency requirement.	This section is moved to 42-654 as the previous Chapter 33 Article X Enhanced Pedestrian Realm Standards is moved to Chapter 42 Article IV.  <b>Amend.</b> Orange fonts on P45, Line 1683- 1693
17		“Transparency” into automotive uses should not count toward the ground floor transparency requirement.	Previous 33-631, Current 42-651	<b>Amend.</b> Have ground floor façade transparency calculated based on transparency into interior “occupiable” space.  Occupiable space means an area inside a building intended for human activities (live, work, play, worship, shop, eat, or similar). It excludes areas such as storage or utility areas, parking garages, loading docks, etc.	This section is moved to 42-654 as the previous Chapter 33 Article X Enhanced Pedestrian Realm Standards is moved to Chapter 42 Article IV.  <b>Amend.</b> Orange fonts on P31, Line 1227, and P45, Line 1683-1689.
18	Safety Buffer	4’ safety buffer and the modification procedure should apply on WP and TOD Streets only	40-555	<b>No Change.</b> Pedestrian safety applies city-wide. The current proposal aligns with the Infrastructure Design Manual and establishes a process to modify the standard to address unique technical conditions along a street. These modifications will be reviewed by the Planning & Development Department, the Office of the City Engineer, and the Mayor’s Office for People with Disabilities.	As a result of the discussion with HPW, no change on the width of unobstructed sidewalks and safety buffer. However, both the sidewalk width the safety buffer width standards will be prescribed by the Infrastructure Design Manual instead of the ordinance to allow more implementation flexibility. <b>Amend.</b> Orange fonts on P28, Line 1122 and 1131.
19	Public Engagement/ Notification	Since TOD Street criteria are objective, a public hearing before Planning Commission consideration is unnecessary.	33-446	<b>Amend.</b> Clarify the Planning Commission consideration is a meeting open to public comment but not a “public hearing” due to the objective criteria of the TOD Street designation process.	<b>Amend.</b> Orange fonts on P22, Line 868-869.
20		Include Super Neighborhood committees and civic associations in the immediate area as part of the notification process for the WPP amendments.	33-425(b)(2)	<b>No Change.</b> These organizations are included if they are currently registered with the Department of Neighborhoods. Otherwise, the Planning & Development Department would not have contact information for unregistered organizations.	<b>No Change.</b>
21	Technical Comments	Oppose granting a Director rule making authority.	33-422(c)	<b>No Change.</b> The director is only authorized to make rules and procedures for the administration of the ordinance approved by City Council. This language does not authorize changes or new ordinance requirements.	<b>No Change.</b>

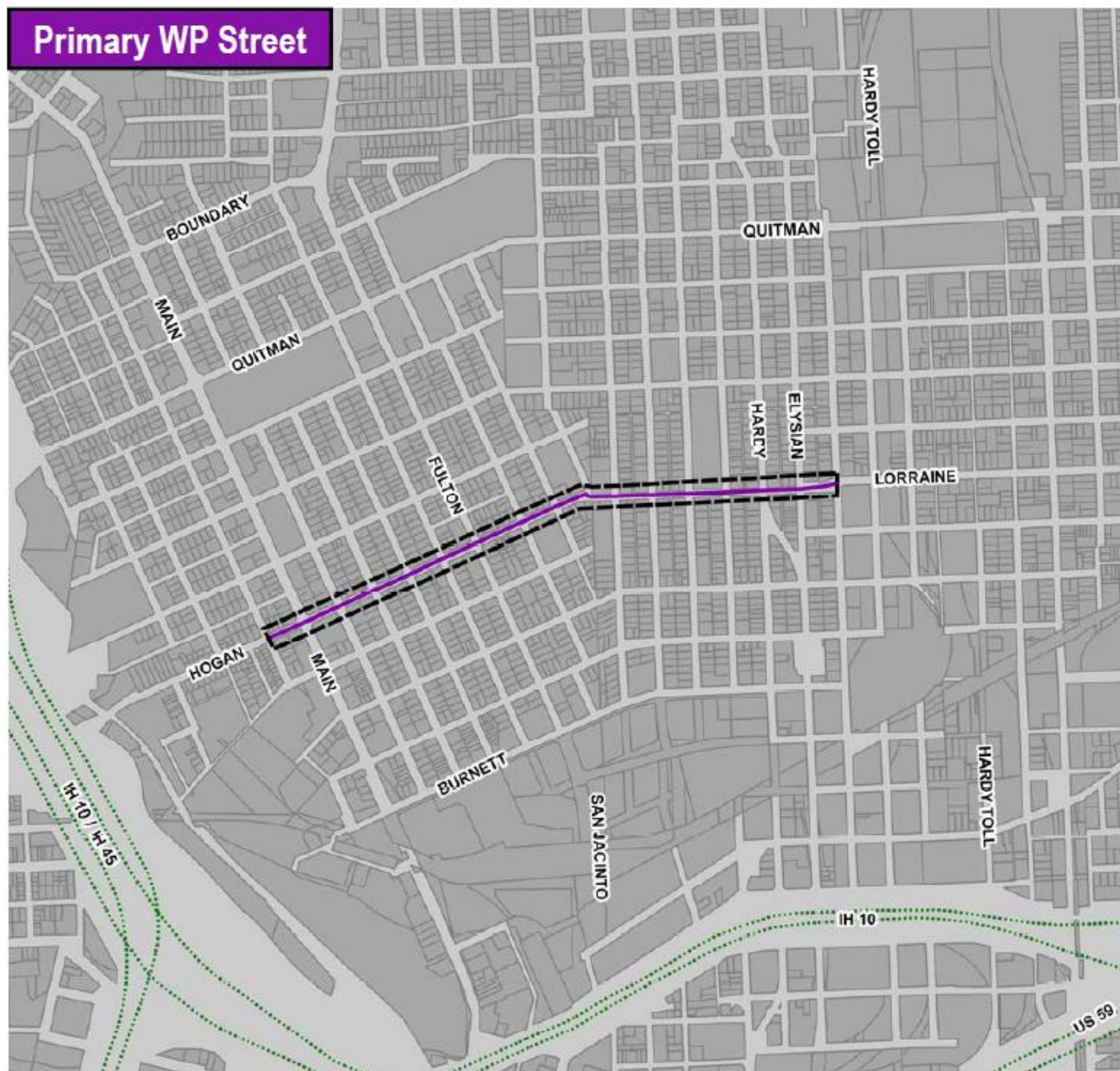
22		Need clear delegation of authority to regulate the sidewalk ordinance.	40-552	<b>No Change.</b> The Planning & Development Department, in coordination with the Office of the City Engineer (OCE) and the Mayor's Office for People with Disabilities (MOD), is the lead department for reviewing sidewalk width and location standards. OCE is responsible for regulating sidewalk construction technical requirements.	<b>No Change.</b>
23		Combine all related provisions and standards in Chapter 42.		<b>Amend.</b> 1. Relocate Chapter 33 Article X Enhanced Pedestrian Realm Standards to a new article in Chapter 42.  2. Include an ordinance structure exhibit within Chapter 42 to provide chapter cross-reference guidance and minimize confusion.  3. The current structure of the City's Code of Ordinances requires amendments outside of Chapter 42.	<b>Amend.</b> The previous Chapter 33 Article X Enhanced Pedestrian Realm Standards is moved to Chapter 42 Article IV.  Add Sec 42 – 604 Modification of enhanced pedestrian realm standard process to address unique development needs. Orange fonts on P41 - 42, Line 1550 – 1588.
24		Clarify when the ordinance will apply for the reconstruction or resurfacing of an existing parking lot.	40-552 (b)	<b>Amend.</b> Add a criterion to Sec 40-552(b): “Reconstruction of more than 10 parking spaces or 25% of the total area, whichever is greater, of an existing lawfully permitted parking lot. Restriping parking spaces, asphalt resurfacing and other cosmetic, decorative or surface level enhancements shall not be considered reconstruction.”	<b>Amend.</b> Orange fonts on P25, Line 1003 – 1006.
		<b>Additional comment from HPW after the public comment period:</b> There are additional unique scenarios which should be qualified for sidewalk requirement exceptions.	40-554	<b>Amend.</b> Add the additional scenarios which should be qualified for sidewalk requirement exceptions to Sec 40-554.	<b>Amend.</b> Orange fonts on P26 – 28, Line 1041 – 1115.
		<b>Additional comment from HPW after the public comment period:</b> Sidewalk construction cost should be a consideration factor in the sidewalk standard modification process.	40-556	<b>Amend.</b> Add a sidewalk construction cost criterion to Sec 40-556(d).	<b>Amend.</b> Orange fonts on P30, Line 1192 – 1197.
	General Comments	Improve pedestrian safety and visibility at driveway/sidewalk intersections along all streets so drivers may see the pedestrian and safely stop.		<b>Amend.</b> Require a pedestrian safety and visibility buffer (like a visibility triangle) at the intersection of an exit driveway and the minimum unobstructed sidewalk along all public streets. No improvements, plantings, or visual obstructions are allowed within this buffer below 8' in vertical height as measured from the sidewalk.	<b>Amend.</b> Add Sec 40-32. Orange fonts on P22 - 24, Line 893 –926.
26		Omit Museum Park Station from the TOD Street designation to protect the unique neighborhood characteristics in Museum Park.		<b>No Change.</b> 1. Streets adjacent to any light rail or bus rapid transit station will be evaluated based on objective criteria for TOD Street designation.  2. WP Street designation via the property owner petition process may be a suitable option for	<b>No Change.</b>

27		Include Museum Park Station for TOD Street designation to guide developers to build good walkable communities.		more context-sensitive standards. The WP Street designation would then supersede the TOD Street designation. (Example: Midtown Walkable Places Pilot Area) Further evaluation and public engagement are needed before a City-initiated amendment would be considered for this area.	
28		Require residential buffering (including light reduction from parking garages, sheathed lighting, and noise baffling) to minimize negative impact created by the high-density development.		<b>No Change.</b> Further research and public engagement are needed before amending the residential buffer standards (Chapter 42, Article III, Division 8). A separate committee will discuss this topic beginning later this year.	<b>No Change.</b>
29		I would like to see walkable areas such as City Centre have a close-by bus stop so that we could visit without a car.		<b>No Change.</b> The Planning & Development Department will forward this comment to METRO for consideration.	<b>No Change.</b>
30		Please consider the area around River Oaks District as a Walkable Place designation.		<b>No Change.</b> WP Street designation via the property owner petition process may be a suitable option for this area. Further evaluation and public engagement are needed before a City-initiated amendment would be considered.	<b>No Change.</b>
31		City should address construction and maintenance of unobstructed wide sidewalks along all city roadways, including open ditched streets.		<b>No Change.</b> The proposed amendments (Chapter 40) address this comment.	<b>No Change.</b>
32		Portion of the road along Uptown BRT is incomplete, unwalkable, and undrivable. Different department and agencies need to do a better job in coordinating plan implementation.		<b>No Change.</b> The Planning & Development Department will continue to coordinate with city departments and outside agencies to improve implementation.	<b>No Change.</b>
33		Walkable Places and TOD result in noise and traffic.		<b>No Change.</b> The purpose of these ordinances is to created pedestrian friendly development rules along certain designated street corridors within the city (Walkable Places) and near METRO light rail and bus rapid transit stations (Transit Oriented Development). The corresponding modifications to the development rules encourage a street environment that fosters walking, bicycling, or transit as a desirable way to move around.	<b>No Change.</b>

# Proposed Walkable Place Pilot Area Plans

May 28, 2020

## Walkable Place Pilot Area - Hogan/Lorraine Street



### The proposed Hogan/Lorraine Street

**Walkable Place Standards** are mandatory rules applied to new development and redevelopment along the designated WP Street. There are five standards:

1. Street Width (established by the MTFP)
2. Pedestrian Realm
3. Building Design
4. Site Design
5. Off-Street Parking Standards

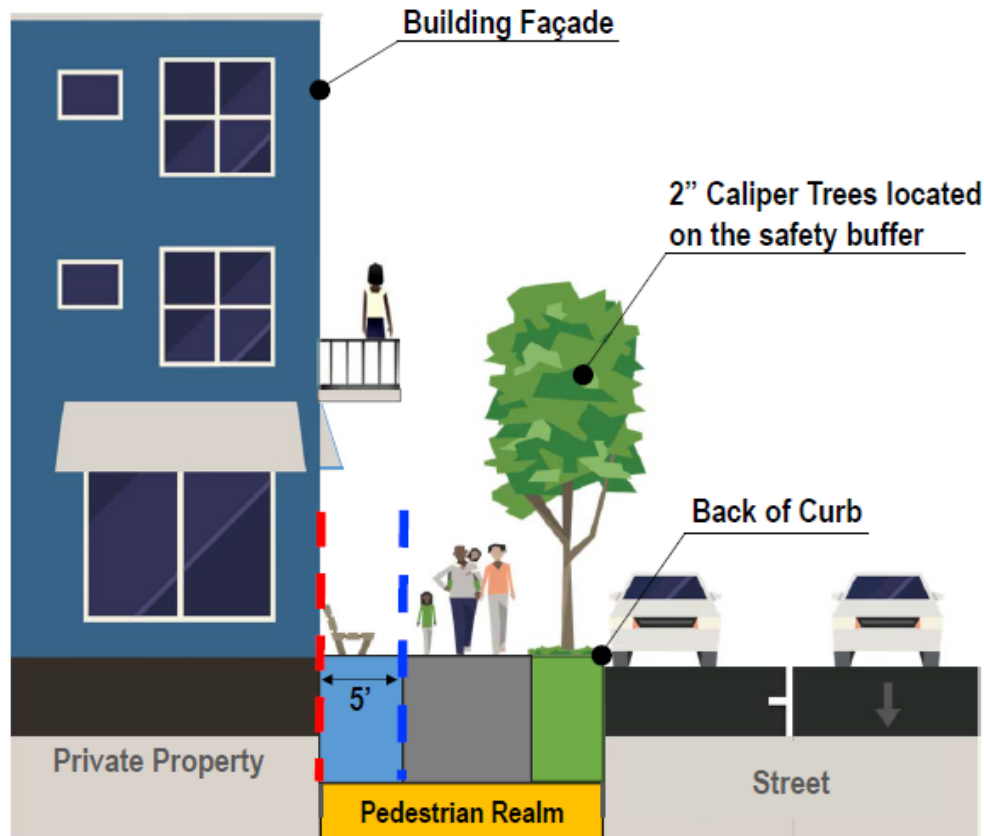
\*Corner properties at the intersection of the Primary WP Street and a local street are required to provide a minimum 6' unobstructed sidewalk and 4' safety buffer along the local street.



# Proposed Pedestrian Realm Rules – Hogan/ Lorraine Street Walkable Place Pilot Area

**Pedestrian Realm** is the area that includes hardscape, publicly accessible sidewalks, clear pedestrian spaces, pedestrian amenities, softscape, and utilities along the walkable street between the roadway (measured from the back of curb, where applicable) and the ground floor façade, as applicable. **This requirement is mandatory for new development and redevelopment along the designated WP Street.**

## Primary Streets – Pedestrian Realm rules (minimum requirements)

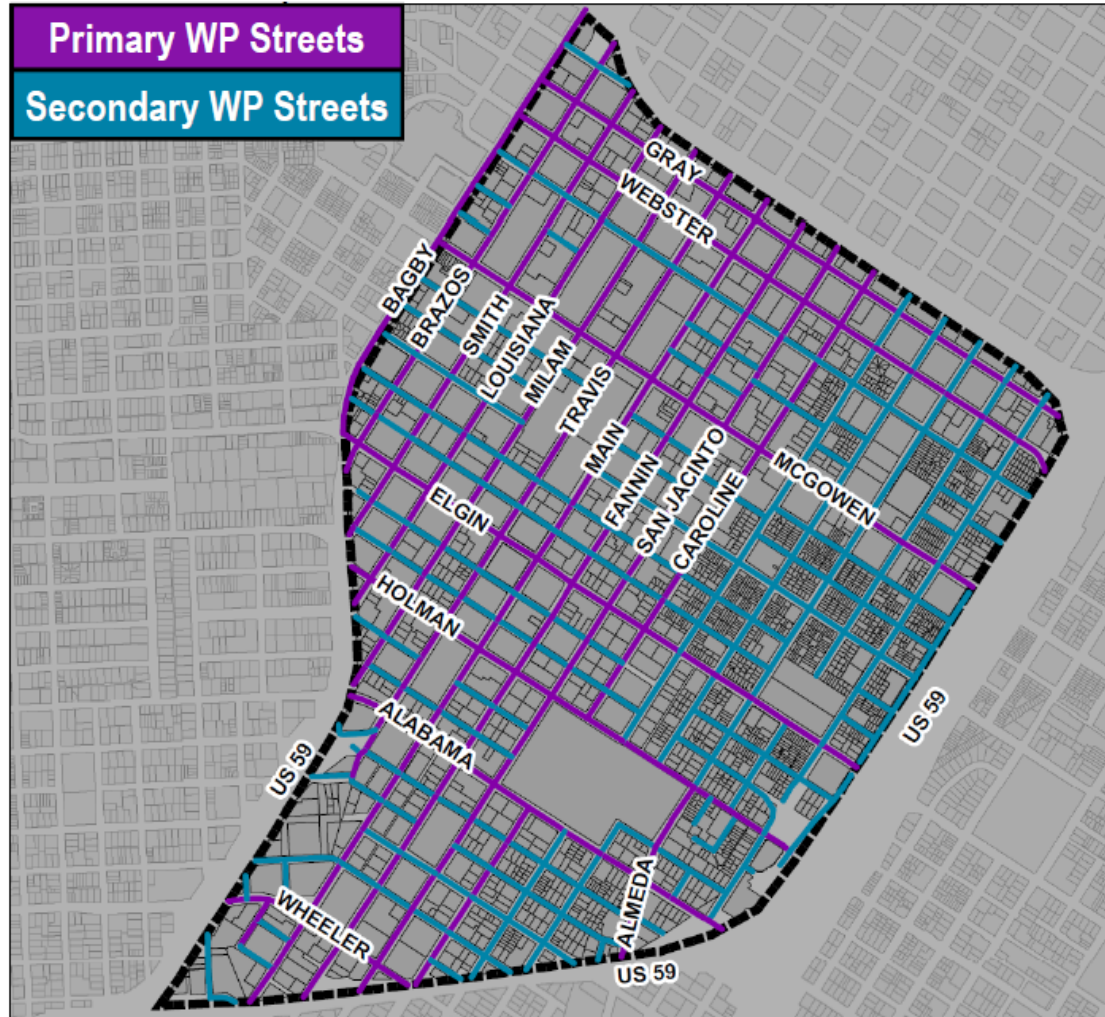


**The Pedestrian Realm for Hogan/Lorraine** exists between the Back of Curb and the ground floor building façade requiring, at minimum, a 4' Safety Buffer and a 6' unobstructed sidewalk. The ground floor building façade must be located no less than 5' from the Property line. There may be times that the unobstructed sidewalk will extend into the private property via a Sidewalk Easement.

- 5' Building Line
- Property Line
- 6' Unobstructed Sidewalk
- 4' Safety Buffer

No auto-related uses within the pedestrian realm, except driveway(s) perpendicular with the adjacent public streets. (MAX 35% softscape)

## Walkable Place Pilot Area - Midtown



**Midtown's Walkable Place rules** are divided into two street classifications. Primary and secondary. Primary streets have mandatory rules and Secondary streets have mandatory and optional rules. The rules are divided in four categories:

1. Sidewalk and Safety buffer (established by the current codes)
2. Pedestrian Realm
3. Building and Site Design Standards
4. Off-Street Parking Standards (established by the current codes)

Walkable Places rules will apply for new development along streets classified as Primary and Secondary.

### Primary Streets

Sidewalk and Safety Buffer

Pedestrian Realm

Building Design Standards

Site Design Standards

### Secondary Streets

Sidewalk and Safety Buffer

Pedestrian Realm (if opt-in)

Building Design Standards (if opt-in)

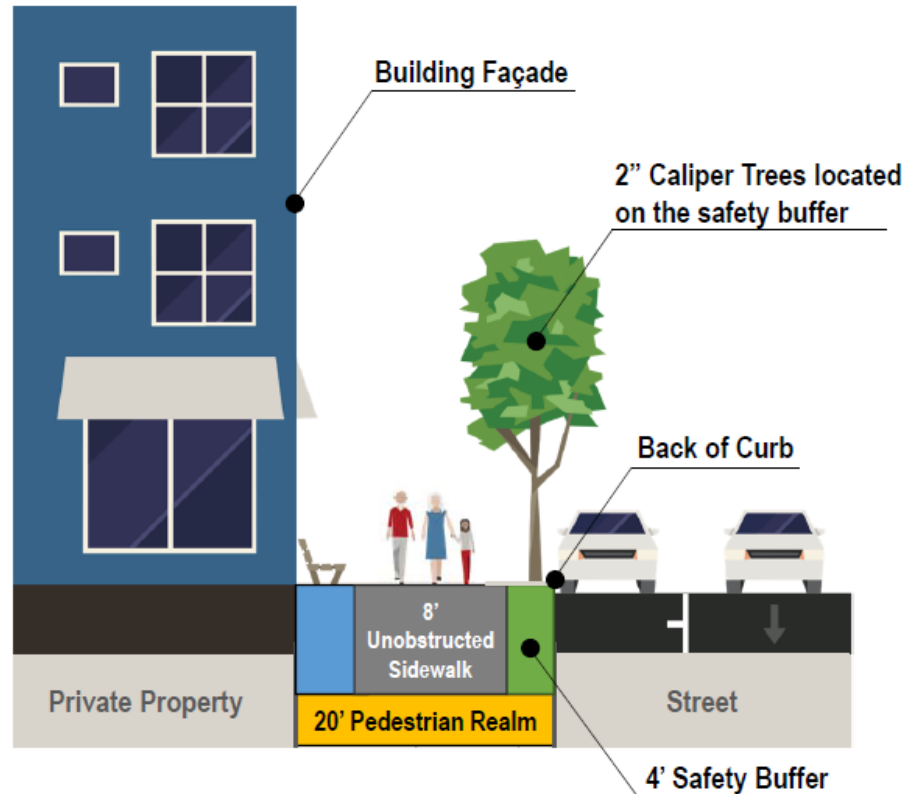
Site Design Standards (if opt-in)



## Proposed Pedestrian Realm Rules – Midtown Walkable Place Pilot Area

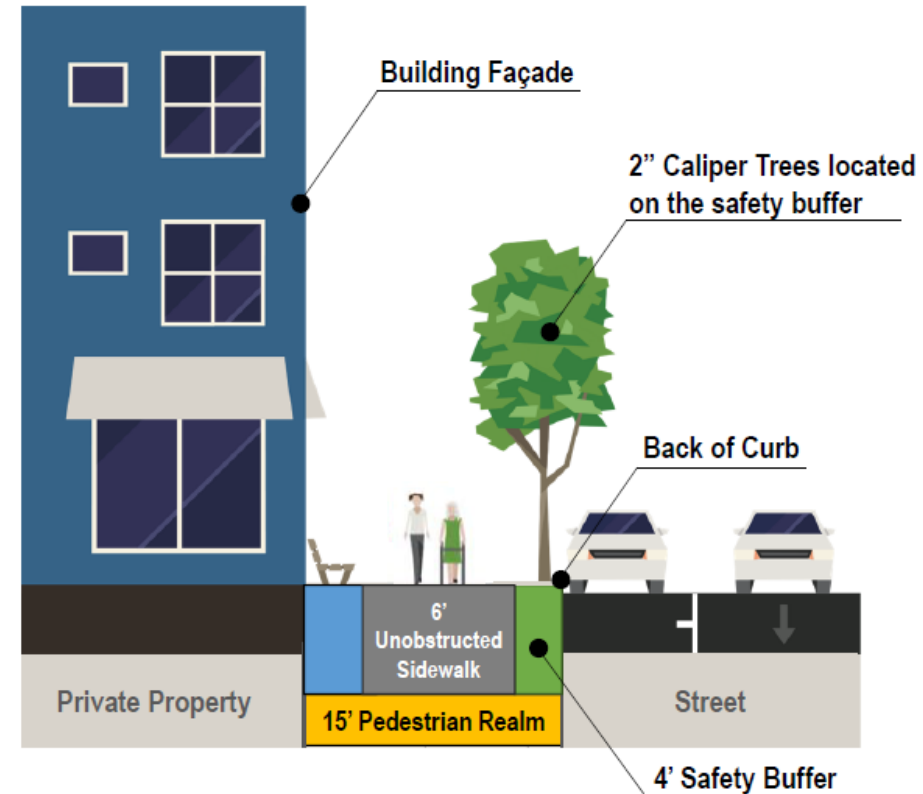
**Pedestrian Realm** is the area that includes hardscape, publicly accessible sidewalks, clear pedestrian spaces, pedestrian amenities, softscape, and utilities along the Walkable Place street between the roadway (measured from the back of curb, where applicable) and the ground floor façade, as applicable. This requirement is mandatory for Primary Streets and optional for Secondary Streets(except sidewalk and safety buffer requirements).

### Primary WP Streets – Pedestrian Realm rules (minimum requirements)



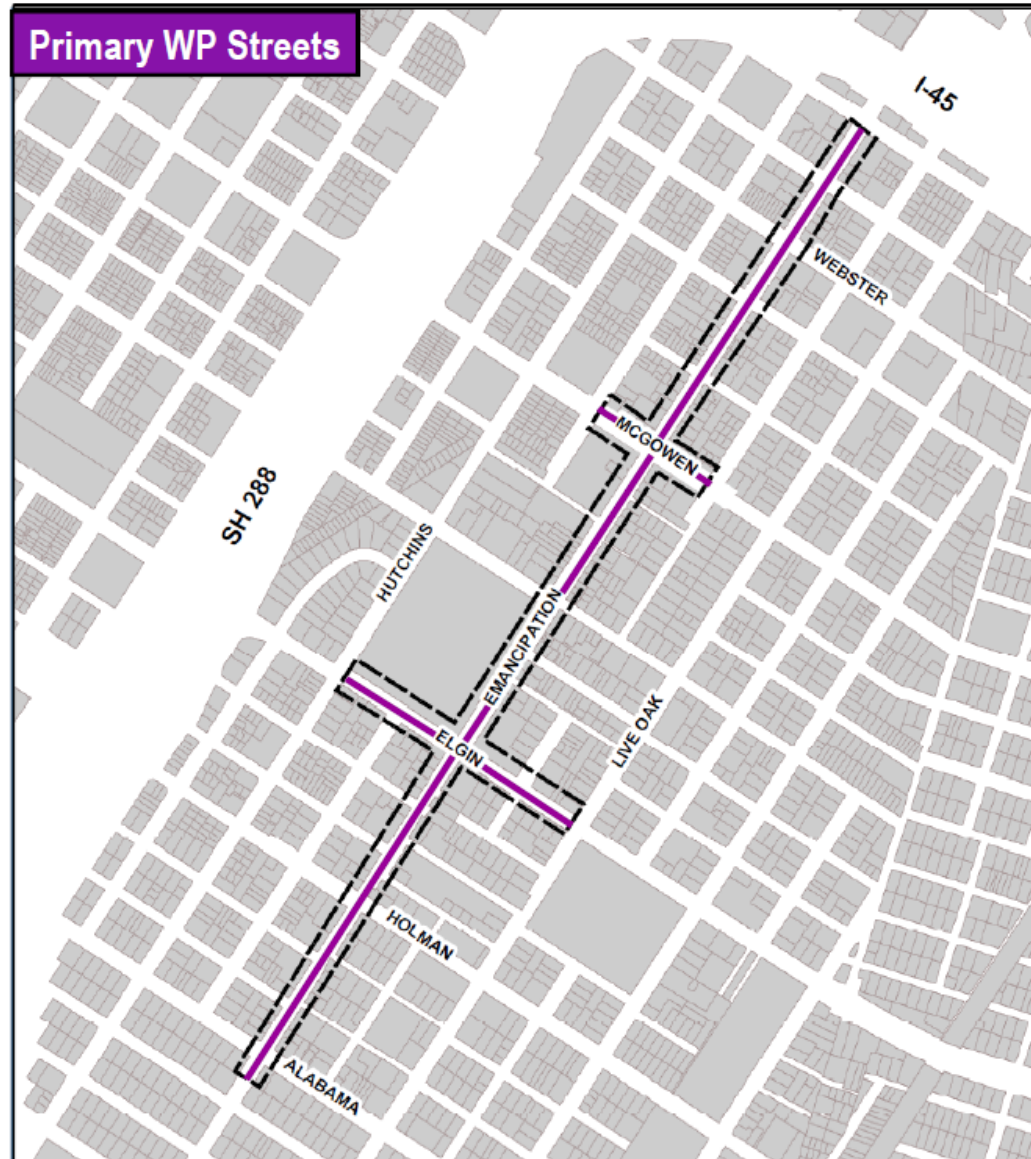
No auto-related uses within the pedestrian realm, except driveway(s) perpendicular with the adjacent public streets. (MAX 35% softscape)

### Secondary WP Streets – Pedestrian Realm rules (minimum requirements)



No auto-related uses within the pedestrian realm, except driveway(s) perpendicular with the adjacent public streets. (MAX 35% softscape)

## Walkable Place Pilot Area – Emancipation Avenue



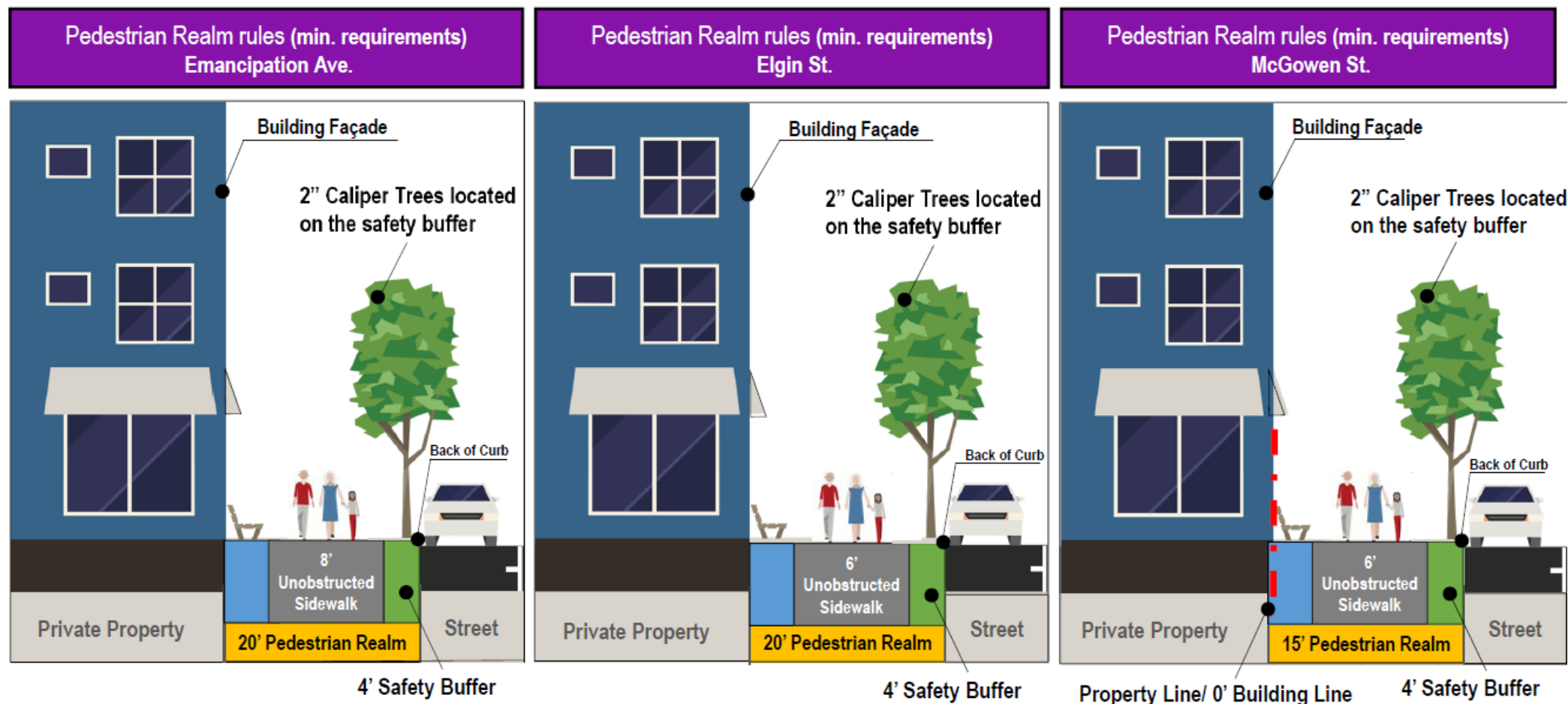
The proposed Emancipation Avenue Walkable Place **rules** are mandatory rules applied to new development and redevelopment along the designated Primary WP Streets. There are five standards:

1. Street Width (established by the MTFP)
2. Pedestrian Realm
3. Building Design
4. Site Design
5. Off-Street Parking Standards (established by the current codes)

\*Corner properties at the intersection of the Primary WP Street and a local street are required to provide a minimum 6' unobstructed sidewalk and 4' safety buffer along the local street.

## Proposed Pedestrian Realm Rules – Emancipation Avenue Walkable Place Pilot Area

**Pedestrian Realm** is the area that includes hardscape, publicly accessible sidewalks, clear pedestrian spaces, pedestrian amenities, softscape, and utilities along the walkable street between the roadway (measured from the back of curb, where applicable) and the ground floor façade, as applicable. This requirement is mandatory for new development and redevelopment along the designated Primary WP Streets.



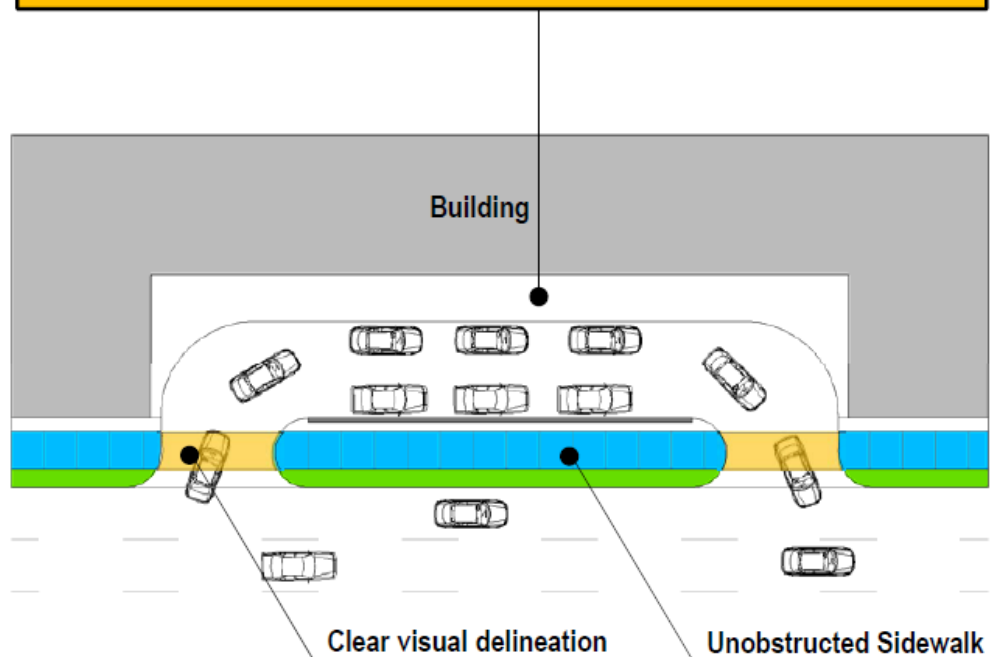
No auto-related uses within the pedestrian realm, except driveway(s) perpendicular with the adjacent public streets. (MAX 35% softscape)

## Proposed Pedestrian Realm Rules (Applied to All Walkable Places)

**Pedestrian Realm – Drop-off area** is an exception to the Pedestrian Realm requirement

A proposed drop-off area behind the pedestrian realm must meet the following requirements:

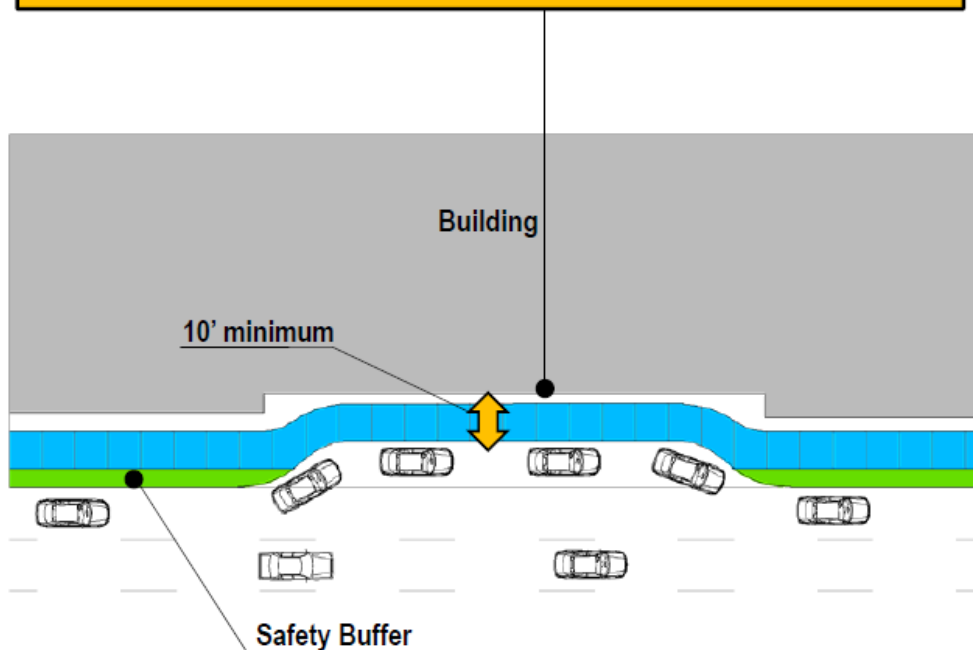
- A clear visual delineation for the sidewalk across any driveway.
- When fronting both Primary and Secondary WP Streets, pedestrian drop-off area behind the pedestrian realm must be along a Secondary WP Streets



If there is a proposed on-street cutback, allow the following pedestrian realm exceptions:

- Min 10 feet between the curb and the building façade
- No safety buffer is required

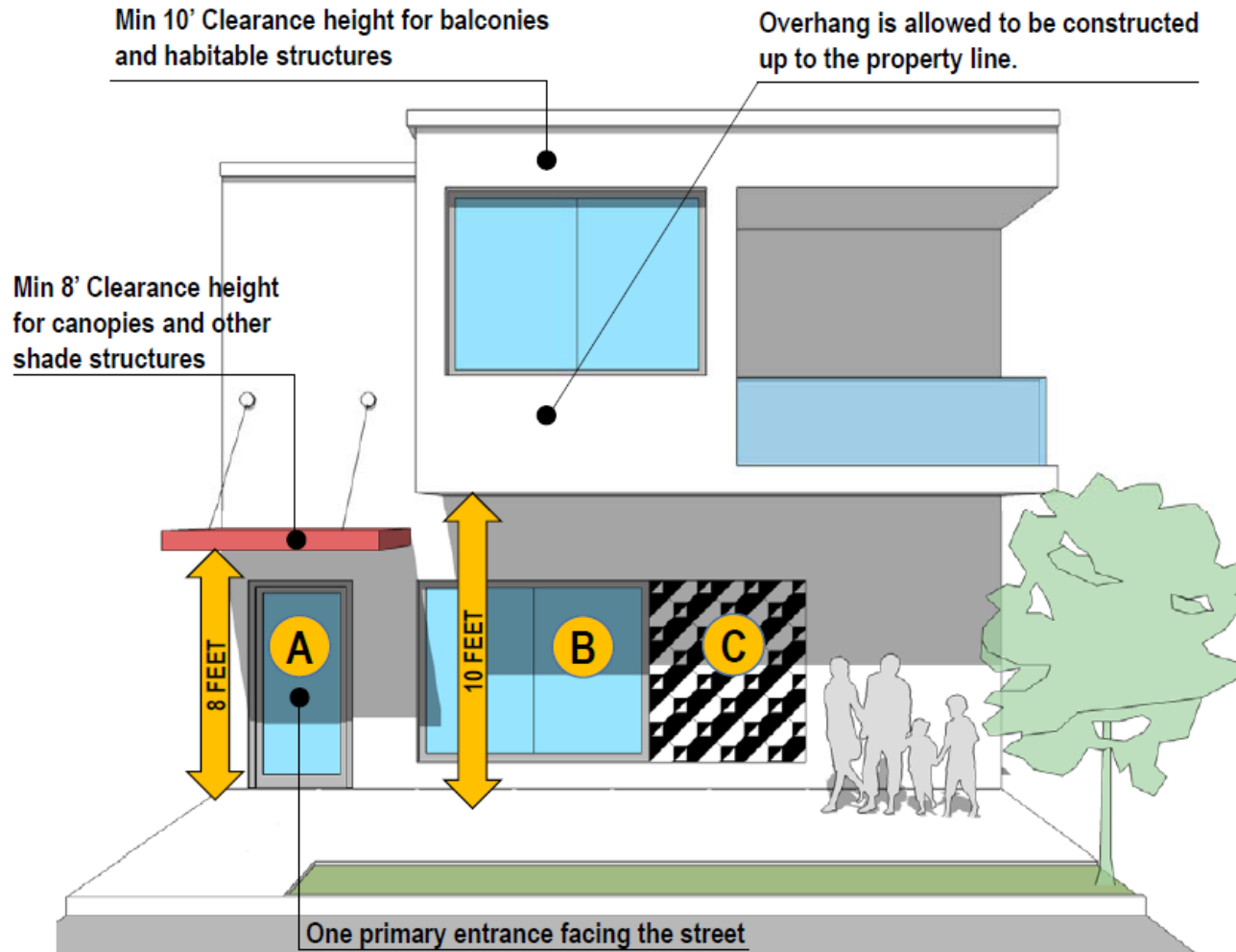
The on-street cutback design must be approved by City Traffic Engineer





## Proposed Building Design Rules -- Non-single Family Residential (Applied to All Walkable Places)

**Building Design** criteria regulates the minimum requirements of the ground floor façade elements such as windows, doors, shading structures and decorative features to create an interaction between the building and the pedestrian realm.



**Ground Floor Façade:** is the area of the building façade measured between the finished floor of the ground floor and a vertical height of 8 feet.

The total area of A (doors), B (windows) and C (decorative features) on the ground floor façade must be at least 30% along primary streets and 20% along secondary streets.

The total area of A(doors) and B(windows) into occupiable space on the ground floor façade must be 50% along primary streets and 40% along secondary streets.

Occupiable space means an area inside a building intended for human activities (live, work, play, worship, shop, eat, or similar). It excludes areas such as storage or utility areas, parking garages, loading docks, etc.

## Proposed Building Design Rules -- Single Family Residential (Applied to All Walkable Places)

**Building Design** criteria regulates the minimum requirements of the ground floor façade elements such as windows, doors, shading structures and decorative features to create an interaction between the building and the pedestrian realm.



Front Door facing the Walkable Place Street with pedestrian access.

Non-opaque fence with a maximum height of 48 inches

If a tract is further subdivided, lot access must be from a **shared driveway, Type 2PAE, alley or new public street** created by the same subdivision plat.

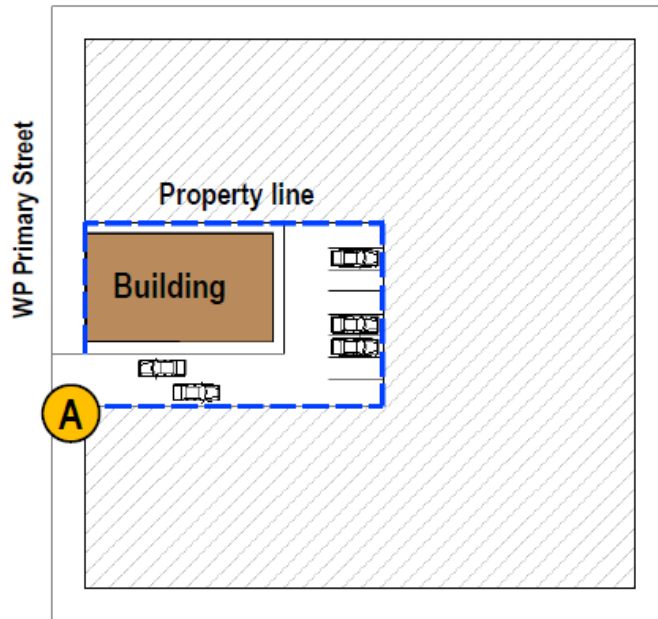
## Proposed Site Design Rules (Applied to All Walkable Places)

**Site Design** criteria regulates the location of the parking area and the location and dimension of new curb cuts. The parking area must be located on the back or a side of a proposed building. For each property, either a two-way 30 foot driveway or two one-way 15 foot driveways are allowed along a WP street.

### Exceptions:

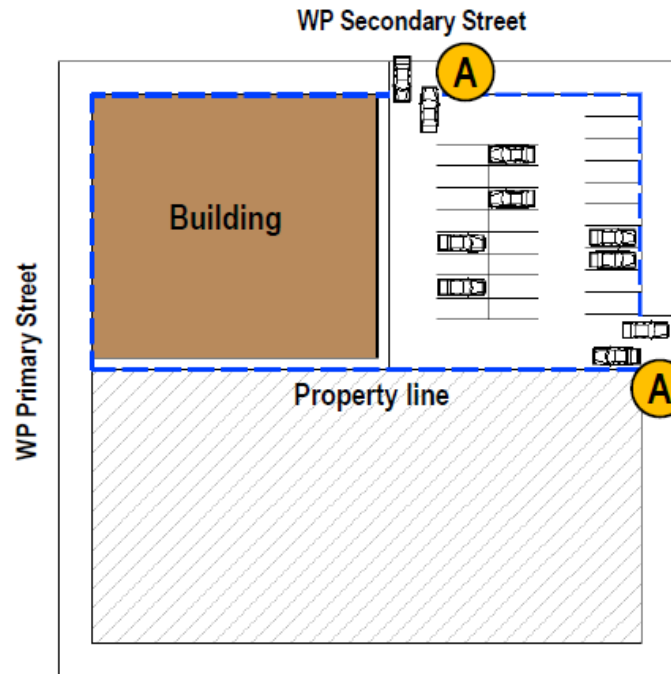
- (1) If a property has frontage along both Primary and Secondary WP streets, no new curb cuts can be created along the Primary street(s).
- (2) If the property has frontage on three or more WP streets, one Secondary WP street can be exempted from the of driveway location and dimension requirements.

Parking Area on the Back



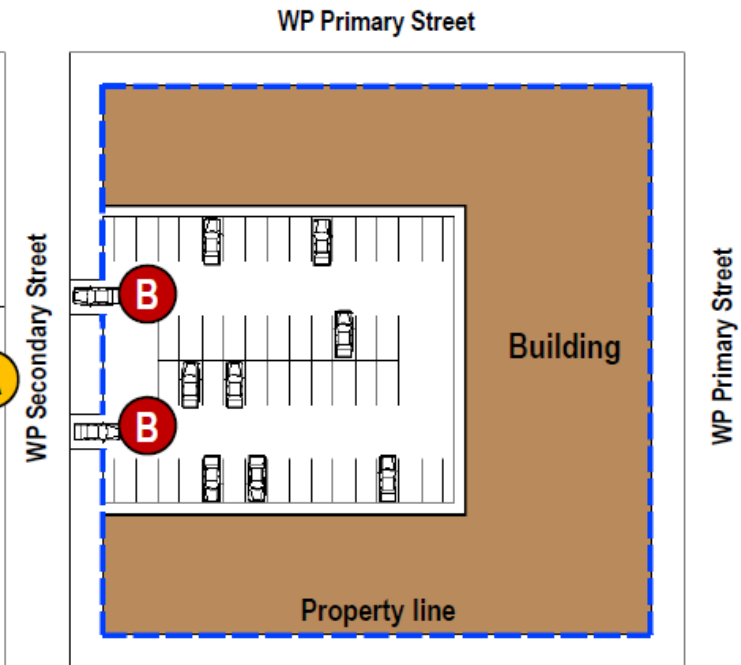
**A** One 30' two way driveway

Parking Area on the back or side



**A** One 30' two way driveway on each secondary street

Parking Area wrapped by the proposed building



**B** Two 15' one way driveways



## Proposed Off-Street Parking Rules (Applied to All Walkable Places)

New developments within the pilot area must meet Chapter 26 parking requirements. In addition, they are required to provide the following additional bicycle parking:

- (1) 1 Bicycle space for every 5,000 sq. ft. of Gross Floor Area (GFA) for uses that required bicycle parking.
- (2) 1 Bicycle space for every 20 dwelling units for apartments.





Item		App	
No.	Subdivision Plat Name	Type	Deferral
A-Consent			
1	Amira Sec 16	C3P	
2	Avenue Meadows Sec 3	C2	
3	Balmoral Sec 26	C3F	
4	Bland Street Houston Area Urban Community Development	C3F	
5	Canterbury Estates Sec 1	C2	DEF1
6	CenterPoint Energy Bluebonnet Point Reserve	C3F	DEF1
7	Craig Woods partial replat no 26	C3F	
8	Crossroads Development	C2	
9	Cypress Creek Landing Sec 4	C3P	
10	Cypress Green GP	GP	
11	Cypress Heights Drive Street Dedication Sec 3	C3P	
12	Dellrose Sec 11	C3P	
13	Dennison Tract	C3F	DEF1
14	Edgewood Village Sec 7	C3P	
15	Edgeworth Place Addition Sec 2 partial replat no 1	C3F	
16	Elyson Sec 32	C3P	
17	Freeman Ranch Sec 4	C3P	
18	Griggs Road Villas	C3F	
19	Hockleywood Business Park	C3P	
20	Invermar Development	C2	
21	Katy Outdoors	C2	
22	Kolfahl Estates replat no 1	C3F	
23	Langfield Industrial	C2	
24	Longenbaugh Road and Plant Site Reserves	C3F	
25	Longenbaugh Road Winward Reserves	C3F	
26	Magnolia Oaks	C3F	
27	Meandering Bend Drive Extension and Reserves	C3F	
28	Mercer Botanic Gardens GP	GP	
29	Mercer Botanic Gardens Sec 1	C2	
30	Morton Road Commercial Plaza	C2	
31	Old Spanish Park Additon	C2	
32	OReilly Auto Parts Humble	C2	
33	Park York Plaza	C2	
34	Pearl Plantation	C2	DEF1
35	Purple Sage Street Street Dedication Sec 1	SP	
36	River Oaks Sec 9 partial replat no 1	C3F	
37	Saint George Coptic Orthodox Church	C3P	
38	Saqib Reserve on Mueschke	C2	
39	Southgate partial replat no 3	C3F	
40	Spring Branch Estates no 2 partial replat no 12	C3F	
41	Stockdick School Road Street Dedication Sec 1	SP	
42	Stockdick School Road Street Dedication Sec 2	SP	

**Platting Summary****Houston Planning Commission****PC Date: May 28, 2020**

Item No.	Subdivision Plat Name	App	
		Type	Deferral
43	Sunterra Sec 3	C3F	
44	Sunterra Sec 4	C3F	
45	Sunterra Sec 5	C3F	
46	Sunterra Sec 10	C3P	
47	Sunterra Sec 11	C3P	
48	Terraces on Texas Avenue replat no 1	C3F	
49	Trac Business Park	C2	DEF1
50	Ventana Lakes East Sec 7	C3F	
51	Ventana Lakes East Sec 8	C3F	
52	Villatoro Place on Clara	C2	DEF2
53	Westheimer Manor partial replat no 2	C3F	
54	Woodleigh partial replat no 2 and extension	C3F	DEF1

**B-Replats**

55	Acorn Grove Sec 2	C3R	DEF2
56	Alvin Place	C2R	
57	Benavides Court	C2R	
58	Bennington Hills	C2R	DEF2
59	Bickfaya	C2R	
60	Buck Place	C2R	
61	Chapman Highline East	C2R	
62	Chapman Highline West	C2R	
63	Drew Too	C2R	DEF1
64	East Bayou Terrace	C2R	DEF2
65	Edloe Acres	C2R	DEF1
66	Ellington Terrace	C2R	
67	Enclave on Heights	C2R	
68	Farmhouse Corner	C2R	
69	Grand Mission Reserves partial replat no 1	C2R	
70	Hafer Road Business Park	C2R	DEF1
71	Herman Park Court partial replat no 1	C2R	
72	Jackrabbit Estates	C2R	DEF1
73	Johanna Landing	C3R	DEF2
74	Kherington Place	C2R	DEF1
75	Lake Pointe Villages	C2R	
76	Lyons Redev Fiftyninth Venture	C2R	
77	Mcilhenny Place	C2R	
78	Montrose Annex partial replat no 2	C2R	
79	Murdock Place	C3R	DEF1
80	Park Estates	C2R	
81	Peden Oaks	C2R	
82	Peek Entrepreneurs replat no 1	C2R	DEF1
83	Ramos Reserve	C2R	DEF1
84	Reserve at Gulfpoint partial replat no 1	C2R	DEF2

**Platting Summary****Houston Planning Commission****PC Date: May 28, 2020**

Item No.	Subdivision Plat Name	App	
		Type	Deferral
85	Richcrest Apartments	C2R	
86	Royal Park Airtex	C3R	DEF2
87	Serenity Grove	C2R	DEF1
88	Tommye Place	C2R	DEF1
89	Trulley Square	C2R	
90	Villas on Paul Quinn Street	C3R	DEF2
91	Villas on Peden	C2R	
92	Vinson Place	C2R	DEF2

**C-Public Hearings Requiring Notification**

93	Augusta Addition partial replat no 2	C3N	DEF1
94	Brundage Woods replat no 2 and extension	C3N	
95	Cypress Creek Plaza partial replat no 1	C3N	
96	Echo Leaf	C3N	DEF1
97	Melbourne Place Sec 1 partial replat no 2	C3N	
98	Melbourne Place Sec 1 partial replat no 3	C3N	
99	Neuen Manor partial replat no 18	C3N	
100	Oak Forest of La Sierra partial replat no 1	C3N	
101	South Main Estates Sec 2 partial replat no 1	C3N	
102	Spring Oaks replat no 1 partial replat no 4	C3N	
103	Washington Terrace partial replat no 5	C3N	
104	Westheimer Gardens partial replat no 4	C3N	DEF1

**D-Variances**

105	Bass Enclave	C2R	DEF2
106	Elyson GP	GP	
107	Houston Heights partial replat no 27	C2R	DEF2
108	Houston Texas Fire Fighters Federal Credit Union North	C2R	DEF2
109	Oakview Farms Sec 2	C3P	
110	Paloma Estates	C2R	DEF1
111	West Ontario Management LLC	C2R	

**E-Special Exceptions**

None

**F-Reconsideration of Requirements**

112	Allison Park	C3R	DEF1
113	East Heights at Airline	C3P	DEF2
114	Heritage Senior Residence	C2	DEF1
115	Yellowstone Academy Campus	C2R	

Item		App	
No.	Subdivision Plat Name	Type	Deferral

**G-Extensions of Approval**

116	Becker Meadows Sec 3	EOA	
117	Becker Meadows Sec 4	EOA	
118	Casitas at Lake Houston	EOA	
119	Luthe Properties	EOA	
120	Pinecrest Center Sec 2	EOA	
121	Pinecrest Center Sec 1	EOA	
122	Pinto Business Park Drainage Detention Sec 2	EOA	
123	Pinto Business Park Drainage Detention Sec 1	EOA	
124	River Oaks Green	EOA	
125	Senterra Richmond	EOA	
126	Sorrento	EOA	

**H-Name Changes**

None

**I-Certification of Compliance**

127	26307 Hunters Trail	COC	
128	20647 Ravenwood Court	COC	

**J-Administrative**

None

**K-Development Plats with Variance Requests**

129	4804 Gano Street	DPV	
130	5230 Redstart Street	DPV	
131	2015 Stevens Street	DPV	

**Off-Street Parking with Variance Requests**

VI	1348 Heights Boulevard	PV	
VII	620 W. 27th Street	PV	

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Item No.	Subdivision Plat Name	App No.	App Type	Location			Plat Data			Customer	
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**A-Consent**

1	Amira Sec 16	2020-0833	C3P	Harris	ETJ	286U	30.00	22.00	34	Johnson Development Services	META Planning + Design, LLC
2	Avenue Meadows Sec 3	2020-0786	C2	Harris	City	453F	1.19	0.00	8	Avenue Development, LLC	MBCO Engineering
3	Balmoral Sec 26	2020-0812	C3F	Harris	ETJ	377N	43.49	11.80	202	Balmoral LT, LLC	Jones Carter - Woodlands Office
4	Bland Street Houston Area Urban Community Development	2020-0803	C3F	Harris	City	412W	5.01	0.58	23	CAS Consultants, LLC	CAS Consultants, LLC
5	Canterbury Estates Sec 1 (DEF1)	2020-0765	C2	Harris	ETJ	379H	18.70	0.00	6	Windrose	Windrose
6	CenterPoint Energy Bluebonnet Point Reserve (DEF1)	2020-0706	C3F	Montgomery	ETJ	256U	5.50	4.70	0	Pape-Dawson Engineers	Pape-Dawson Engineers, Inc.
7	Craig Woods partial replat no 26	2020-0855	C3F	Harris	City	451X	0.28	0.00	3	BC INVESTMENTS	Level Up
8	Crossroads Development	2020-0844	C2	Harris	ETJ	416M	25.27	25.27	0	NNE, Inc.	Gruller Surveying
9	Cypress Creek Landing Sec 4	2020-0738	C3P	Harris	ETJ	331S	23.09	1.37	117	KB Home Lone Stare Inc	IDS Engineering Group
10	Cypress Green GP	2020-0817	GP	Harris	ETJ	285V	634.84	0.00	0	MCALISTER INVESTMENT REAL ESTATE	Jones Carter - Woodlands Office
11	Cypress Heights Drive Street Dedication Sec 3	2020-0831	C3P	Harris	ETJ	286U	1.50	0.00	0	Johnson Development Services	META Planning + Design, LLC
12	Dellrose Sec 11	2020-0840	C3P	Harris	ETJ	325K	22.00	0.28	103	Cypress 600 Development Partners LP	META Planning + Design, LLC
13	Dennison Tract (DEF1)	2020-0758	C3F	Harris	ETJ	444C	8.95	0.76	2	Keith Dennison	Windrose
14	Edgewood Village Sec 7	2020-0869	C3P	Harris	ETJ	457G	16.35	4.26	60	Woodmere Development Co., LTD.	IDS Engineering Group
15	Edgeworth Place Addition Sec 2 partial replat no 1	2020-0804	C3F	Harris	City	414R	0.50	0.00	3	RAUL MACIEL	Century Engineering, Inc
16	Elyson Sec 32	2020-0816	C3P	Harris	ETJ	405J	15.90	2.83	98	NASH FM 529 LLC	META Planning + Design, LLC
17	Freeman Ranch Sec 4	2020-0792	C3P	Waller	ETJ	403T	80.02	39.24	199	LGI Homes	Pape-Dawson Engineers
18	Griggs Road Villas	2020-0836	C3F	Harris	City	533H	0.87	0.18	17	Legion Builders, LLC	Total Surveyors, Inc.
19	Hockleywood Business Park	2020-0796	C3P	Harris	ETJ	285Q	25.80	23.96	0	Hockley Business Park, LLC	GBI Partners, LP
20	Invermar Development	2020-0848	C2	Harris	City	454F	3.57	3.57	0	Invermar Holdings LLC	PLS CONSTRUCTION LAYOUT, INC
21	Katy Outdoors	2020-0781	C2	Fort Bend	ETJ	484Q	2.20	2.20	0	KatyOutdoors	Civil-Surv Land Surveying, L.C.
22	Kolfahl Estates replat no 1	2020-0809	C3F	Harris	City	534B	0.49	0.00	10	Metro Living	PLS CONSTRUCTION LAYOUT, INC
23	Langfield Industrial	2020-0828	C2	Harris	City	410Z	10.89	10.89	0	Windrose	Windrose
24	Longenbaugh Road and Plant Site Reserves	2020-0841	C3F	Harris	ETJ	404J	11.51	11.05	0	Friendswood Development Company	Manhard Consulting
25	Longenbaugh Road Winward Reserves	2020-0846	C3F	Harris	ETJ	404K	2.80	0.20	0	Friendswood Development Company	Manhard Consulting

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26	Magnolia Oaks	2020-0477	C3F	Harris	ETJ	414H	2.04	0.23	17	Cadniqués Designs, LLC	Cadniqués Designs, LLC
27	Meandering Bend Drive Extension and Reserves	2020-0822	C3F	Montgomery	ETJ	293L	26.31	25.99	0	Montgomery County MUD No. 119	Manhard Consulting
28	Mercer Botanic Gardens GP	2020-0785	GP	Harris	ETJ	333G	173.00	0.00	0	Harris County	LJA Engineering, Inc.- (West Houston Office)
29	Mercer Botanic Gardens Sec 1	2020-0863	C2	Harris	ETJ	333F	89.81	89.81	0	Harris County	LJA Engineering, Inc.- (West Houston Office)
30	Morton Road Commercial Plaza	2020-0798	C2	Harris	ETJ	446P	1.81	1.81	0	Bar 4 L Commercial, LLC	Weisser Engineering Company
31	Old Spanish Park Additon	2020-0719	C2	Harris	City	532Q	0.62	0.62	0	Vaquero Ventures Management	JPH
32	O'Reilly Auto Parts Humble	2020-0707	C2	Harris	ETJ	334V	1.00	1.00	1	O'Reilly Auto Enterprises, LLC	Dynamic Engineering Consultants, PC
33	Park York Plaza	2020-0834	C2	Harris	ETJ	485M	1.11	1.11	0	K-Land Oaks LLC	Hovis Surveying Company Inc.
34	Pearl Plantation (DEF1)	2020-0722	C2	Harris	ETJ	368N	2.06	0.00	2	N/A	E.I.C. Surveying Company
35	Purple Sage Street Street Dedication Sec 1	2020-0868	SP	Harris	ETJ	457N	3.15	0.00	0	Sowell Equities - Forestwood, L.P.	EHRA
36	River Oaks Sec 9 partial replat no 1	2020-0784	C3F	Harris	City	492N	0.92	0.00	2	na	South Texas Surveying Associates, Inc.
37	Saint George Coptic Orthodox Church	2020-0802	C3P	Fort Bend	ETJ	485J	4.65	4.43	0	Kingdom Structures	Windrose
38	Saqib Reserve on Mueschke	2020-0824	C2	Harris	ETJ	286T	1.29	1.08	0	Advance Surveying	Advance Surveying, Inc.
39	Southgate partial replat no 3	2020-0819	C3F	Harris	City	532H	0.39	0.39	0	1933 Dryden LLC	Tetra Surveys
40	Spring Branch Estates no 2 partial replat no 12	2020-0810	C3F	Harris	City	450U	0.67	0.00	4	Rezcom	PLS CONSTRUCTION LAYOUT, INC
41	Stockdick School Road Street Dedication Sec 1	2020-0842	SP	Waller	ETJ	443D	3.82	0.00	0	Katy 1093, Ltd	Jones   Carter
42	Stockdick School Road Street Dedication Sec 2	2020-0865	SP	Harris	ETJ	444A	2.19	0.00	0	Katy 1093, Ltd	Jones   Carter
43	Sunterra Sec 3	2020-0858	C3F	Waller	ETJ	443H	18.86	0.44	87	Katy 1093, Ltd	Jones   Carter
44	Sunterra Sec 4	2020-0859	C3F	Waller	ETJ	443H	18.45	0.12	106	Katy 1093, Ltd	Jones   Carter
45	Sunterra Sec 5	2020-0832	C3F	Waller	ETJ	443G	38.49	19.20	73	Katy 1093, Ltd	Jones   Carter
46	Sunterra Sec 10	2020-0860	C3P	Waller	ETJ	443D	29.83	20.15	0	Katy 1093, Ltd	Jones   Carter
47	Sunterra Sec 11	2020-0867	C3P	Waller	ETJ	443H	2.89	0.38	11	Katy 1093, Ltd	Jones   Carter
48	Terraces on Texas Avenue replat no 1	2020-0789	C3F	Harris	City	494U	0.60	0.01	14	HHEC Management, LLC	Pioneer Engineering, LLC
49	Trac Business Park (DEF1)	2020-0764	C2	Harris	ETJ	292Q	1.81	1.81	0	RAC Development LLC	Hovis Surveying Company Inc.
50	Ventana Lakes East Sec 7	2020-0838	C3F	Harris	ETJ	445C	43.50	25.98	84	D. R. Horton - Texas, Ltd.	EHRA
51	Ventana Lakes East Sec 8	2020-0839	C3F	Harris	ETJ	445G	75.93	55.27	104	D. R. Horton - Texas, Ltd.	EHRA
52	Villatoro Place on Clara (DEF2)	2020-0566	C2	Harris	City	456T	6.04	6.04	0	olga villatoro	Replat Specialists
53	Westheimer Manor partial replat no 2	2020-0850	C3F	Harris	City	491X	0.99	0.99	0	ZK Building Design	Windrose
54	Woodleigh partial replat no 2 and extension (DEF1)	2020-0713	C3F	Harris	City	494S	0.34	0.00	8	Lamar Builders	The Interfield Group

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**B-Replats**

55	Acorn Grove Sec 2 (DEF2)	2020-0594	C3R	Harris	City	451G	19.11	4.66	207	MAROON STAR HOLDINGS LLC	Benchmark Engineering Corporation
56	Alvin Place	2020-0821	C2R	Harris	City	533Y	0.21	0.00	3	Mapex Enterprises, LLC	PLS CONSTRUCTION LAYOUT, INC
57	Benavides Court	2020-0866	C2R	Harris	City	412Y	0.20	0.00	2	N/A	South Texas Surveying Associates, Inc.
58	Bennington Hills (DEF2)	2020-0585	C2R	Harris	City	454Q	0.18	0.00	4	Aly Construction llc	South Texas Surveying Associates, Inc.
59	Bickfaya	2020-0787	C2R	Harris	City	490Y	0.23	0.23	0	SSSP Properties, LLC	Pioneer Engineering, LLC
60	Buck Place	2020-0805	C2R	Harris	City	494F	0.11	0.00	2	Bayou City Strategic Investments, LLC	SEM SERVICES
61	Chapman Highline East	2020-0791	C2R	Harris	City	493M	0.69	0.69	0	Urban Genesis	MBCO Engineering
62	Chapman Highline West	2020-0794	C2R	Harris	City	493M	0.17	0.17	0	Urban Genesis	MBCO Engineering
63	Drew Too (DEF1)	2020-0702	C2R	Harris	City	493Z	0.34	0.34	0	Bayou City Strategic Realty Investments LLC	Bowden Land Services & Consulting
64	East Bayou Terrace (DEF2)	2020-0614	C2R	Harris	City	494F	0.12	0.00	2	N/A	The Interfield Group
65	Edloe Acres (DEF1)	2020-0559	C2R	Harris	City	492T	1.86	1.82	0	St Lukes Methodist Church Foundation	Beacon Land Services
66	Ellington Terrace	2020-0847	C2R	Harris	City	412Q	0.17	0.00	2	CE Engineers & Development Consultants, INC	CE Engineers & Development Consultants, INC
67	Enclave on Heights	2020-0826	C2R	Harris	City	453W	0.17	0.00	2	Rise Construction	Owens Management Systems, LLC
68	Farmhouse Corner	2020-0808	C2R	Harris	City	452U	0.25	0.00	6	BB Residential Group, Inc	ICMC GROUP INC
69	Grand Mission Reserves partial replat no 1	2020-0799	C2R	Fort Bend	ETJ	526G	2.00	2.00	0	LASCO	Terra Surveying Company, Inc.
70	Hafer Road Business Park (DEF1)	2020-0693	C2R	Harris	ETJ	332P	3.15	3.08	0	NM Hafer Road	Core
71	Herman Park Court partial replat no 1	2020-0827	C2R	Harris	City	533K	0.23	0.22	0	Anegel Dental	Tetra Surveys
72	Jackrabbit Estates (DEF1)	2020-0699	C2R	Harris	ETJ	408G	10.31	9.66	1	Action Surveying	Action Surveying
73	Johanna Landing (DEF2)	2020-0581	C3R	Harris	City	451T	1.52	0.02	29	DISAMA	Field Data Srvce, Inc
74	Kherington Place (DEF1)	2020-0726	C2R	Harris	City	453N	0.18	0.00	3	CMJ Family Investments-Solitaire, LLC	ICMC GROUP INC
75	Lake Pointe Villages	2020-0843	C2R	Harris	ETJ	416M	12.96	12.96	0	Magellan Housing	Windrose
76	Lyons Redev Fiftyninth Venture	2020-0783	C2R	Harris	City	494G	0.23	0.00	4	South by Northwest, LP	Karen Rose Engineering and Surveying
77	Mcilhenny Place	2020-0806	C2R	Harris	City	493U	0.13	0.00	2	Five Star Holdings Investment and Development	Baker & Lawson, Inc.
78	Montrose Annex partial replat no 2	2020-0793	C2R	Harris	City	493S	0.14	0.00	3	ATCA, LLC	Vernon G. Henry & Associates, Inc.
79	Murdock Place (DEF1)	2020-0780	C3R	Harris	City	573U	0.71	0.01	16	Kimley Horn	Windrose
80	Park Estates	2020-0864	C2R	Harris	City	494T	0.12	0.00	2	BAYOU CITY INVESTMENT GROUP LP	SEM SERVICES
81	Peden Oaks	2020-0829	C2R	Harris	City	493N	0.11	0.00	2	Mazzarino Construction	Total Surveyors, Inc.

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82	Peek Entrepreneurs replat no 1 (DEF1)	2020-0752	C2R	Fort Bend	ETJ	525G	7.71	7.71	0	Advance Surveying	Advance Surveying, Inc.
83	Ramos Reserve (DEF1)	2020-0728	C2R	Harris	ETJ	412H	1.03	0.86	1	Nelson Ramos	Texas Field Services
84	Reserve at Gulfpoint partial replat no 1 (DEF2)	2020-0686	C2R	Harris	City	576Z	14.67	14.67	0	Wycoff Development	PROSURV
85	Richcrest Apartments	2020-0801	C2R	Harris	ETJ	373J	13.21	13.21	0	Brooks and Sparks	Hovis Surveying Company Inc.
86	Royal Park Airtex (DEF2)	2020-0612	C3R	Harris	ETJ	373A	6.03	1.51	1	Robinson Surveying, Inc.	Robinson Surveying Inc.
87	Serenity Grove (DEF1)	2020-0736	C2R	Harris	City	452C	0.50	0.13	6	MEXIF FUND 1 LLC	ICMC GROUP INC
88	Tommye Place (DEF1)	2020-0658	C2R	Harris	City	455T	0.23	0.00	3	CARTA GOMEZ INTERNATIONAL LLC	CARTA GOMEZ INTERNATIONAL LLC
89	Trulley Square	2020-0714	C2R	Harris	City	493V	0.23	0.00	6	Abbcott Property Group, LLC	Pioneer Engineering, LLC
90	Villas on Paul Quinn Street (DEF2)	2020-0655	C3R	Harris	City	451D	0.49	0.17	7	MEXIF FUND 1 LLC	ICMC GROUP INC
91	Villas on Peden	2020-0830	C2R	Harris	City	493N	0.14	0.00	2	Mazzarino Construction	Total Surveyors, Inc.
92	Vinson Place (DEF2)	2020-0657	C2R	Harris	City	412S	0.22	0.00	2	Carta Gomez International LLC	CARTA GOMEZ INTERNATIONAL LLC

**C-Public Hearings Requiring Notification**

93	Augusta Addition partial replat no 2 (DEF1)	2020-0355	C3N	Harris	City	494F	0.11	0.00	2	PRIME TEXAS SURVEYS LLC	SEM SERVICES
94	Brundage Woods replat no 2 and extension	2020-0555	C3N	Harris	ETJ	372B	9.53	9.53	0	Church Development Services, LLC	REKHA ENGINEERING, INC.
95	Cypress Creek Plaza partial replat no 1	2020-0323	C3N	Harris	ETJ	368K	0.89	0.89	0	Mendoza Auto	RP & Associates
96	Echo Leaf (DEF1)	2020-0455	C3N	Harris	ETJ	371G	5.30	0.93	37	Echostate Solution, Inc	EHRA
97	Melbourne Place Sec 1 partial replat no 2	2020-0545	C3N	Harris	City	455B	0.18	0.00	2	Windrose	Windrose
98	Melbourne Place Sec 1 partial replat no 3	2020-0546	C3N	Harris	City	455B	0.20	0.00	2	Windrose	Windrose
99	Neuen Manor partial replat no 18	2020-0550	C3N	Harris	City	450Q	0.77	0.01	18	Legion Builders, LLC	Total Surveyors, Inc.
100	Oak Forest of La Sierra partial replat no 1	2020-0560	C3N	Harris	City	452A	0.27	0.00	4	Contempo Builders	PLS CONSTRUCTION LAYOUT, INC
101	South Main Estates Sec 2 partial replat no 1	2020-0364	C3N	Harris	City	570R	0.27	0.00	2	INDIVIDUAL	Bowden Land Services & Consulting
102	Spring Oaks replat no 1 partial replat no 4	2020-0320	C3N	Harris	City	450Z	0.23	0.00	1	McHugh Homes	McHugh Homes
103	Washington Terrace partial replat no 5	2020-0391	C3N	Harris	City	493Y	0.13	0.13	2	Noble Real Estate Services	Noble Real Estate Services
104	Westheimer Gardens partial replat no 4 (DEF1)	2020-0405	C3N	Harris	City	491X	0.72	0.01	16	Southgate Brothers LLC	Pioneer Engineering, LLC

**D-Variances**

105	Bass Enclave (DEF2)	2020-0458	C2R	Harris	City	492H	0.07	0.00	1	CE Engineers & Development Consultants	CE Engineers & Development Consultants, INC
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106	Elyson GP	2020-0823	GP	Harris	ETJ	404M	3563.50	0.00	0	NASH FM 529 LLC	META Planning + Design, LLC
107	Houston Heights partial replat no 27 (DEF2)	2020-0280	C2R	Harris	City	493A	0.19	0.19	0	LE Holdings, LLC.	E.I.C. Surveying Company
108	Houston Texas Fire Fighters Federal Credit Union North (DEF2)	2020-0630	C2R	Harris	City	492H	2.57	2.55	0	Windrose	Windrose
109	Oakview Farms Sec 2	2020-0788	C3P	Harris	ETJ	290J	3.62	0.00	10	Oakview Farms LLC	Provident
110	Paloma Estates (DEF1)	2020-0450	C2R	Harris	City	533M	0.35	0.00	6	JDL Investments, LLC	Owens Management Systems, LLC
111	West Ontario Management LLC	2020-0815	C2R	Harris	City	493U	0.46	0.46	0	Advance Surveying	Advance Surveying, Inc.

**E-Special Exceptions**

None

**F-Reconsideration of Requirements**

112	Allison Park (DEF1)	2020-0621	C3R	Harris	City	574S	9.66	0.90	80	Kimley-Horn	Windrose
113	East Heights at Airline (DEF2)	2020-0388	C3P	Harris	City	453T	4.84	0.39	78	CND-Airline, LLC	Vernon G. Henry & Associates, Inc.
114	Heritage Senior Residence (DEF1)	2020-0541	C2	Harris	City	492G	1.23	1.13	0	Woodmere Development Company	LJA Engineering, Inc.- (West Houston Office)
115	Yellowstone Academy Campus	2020-0835	C2R	Harris	City	493V	3.82	3.78	0	CBRE	Windrose

**G-Extensions of Approval**

116	Becker Meadows Sec 3	2019-1061	EOA	Harris	ETJ	325A	10.54	0.78	62	Lennar Homes of Texas and Construction, LTD.	Jones Carter - Woodlands Office
117	Becker Meadows Sec 4	2019-1062	EOA	Harris	ETJ	325A	15.26	4.68	73	Lennar Homes of Texas and Construction, LTD.	Jones Carter - Woodlands Office
118	Casitas at Lake Houston	2019-1119	EOA	Harris	ETJ	377D	6.30	6.30	0	D.R Horton - Texas, Ltd.	BGE
119	Luthe Properties	2019-0919	EOA	Harris	ETJ	373Y	1.17	1.17	0	Individual Owner	Boundary One, LLC
120	Pinecrest Center Sec 2	2019-1063	EOA	Harris	City	450J	14.55	14.55	0	Metro National Corporation	Jones Carter - Woodlands Office
121	Pinecrest Center Sec 1	2019-1059	EOA	Harris	City	450J	19.19	19.19	0	Metro National Corporation	Jones Carter - Woodlands Office
122	Pinto Business Park Drainage Detention Sec 2	2019-1387	EOA	Harris	ETJ	372X	16.17	16.17	0	Harris County MUD No 406	BGE
123	Pinto Business Park Drainage Detention Sec 1	2019-1369	EOA	Harris	ETJ	372X	11.17	11.17	0	Harris County Mud No 406	BGE
124	River Oaks Green	2019-1210	EOA	Harris	City	492T	16.77	16.77	0	3120 Buffalo Speedway Associates, LP	BGE
125	Senterra Richmond	2019-1021	EOA	Harris	City	492X	3.97	3.97	1	Senterra Real Estate Group	Terra Associates, Inc.
126	Sorrento	2019-0963	EOA	Harris	ETJ	377A	1.72	1.72	0	REIGN ENTERPRISE INC	Texas Field Services

**Platting Summary****Houston Planning Commission****PC Date: May 28, 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

**H-Name Changes**

None

**I-Certification of Compliance**

127	26307 Hunters Trail	20-1530	COC	Montgomery	ETJ	257M				Carlos Parra	Claribel Montoya
128	20647 Ravenwood Ct	20-1531	COC	Montgomery	ETJ	259R				Matthew Johnson	Matthew Johnson

**J-Administrative**

None

**K-Development Plats with Variance Requests**

129	4804 Gano Street	20038967	DPV	Harris	City	453V				Ana Monsalvo	3D Houzz Design
130	5230 Restart Street	20013192	DPV	Harris	City	531X				Justin Hill	Brooks Hill Construction LLC
131	2015 Stevens Street	19126048	DPV	Harris	City	494A				Joyce Owens	Owens Management Systems LLC

**Off-Street Parking with Variance Requests**

VI	1348 Heights Boulevard	20041771	PV	Harris	City	453W				Pilar Jones	Lavender House Holdings, LLC
VII	620 W. 27th Street	19080543	PV	Harris	City	452V				Mac McIntyre	R McIntyre Services

# Houston Planning Commission

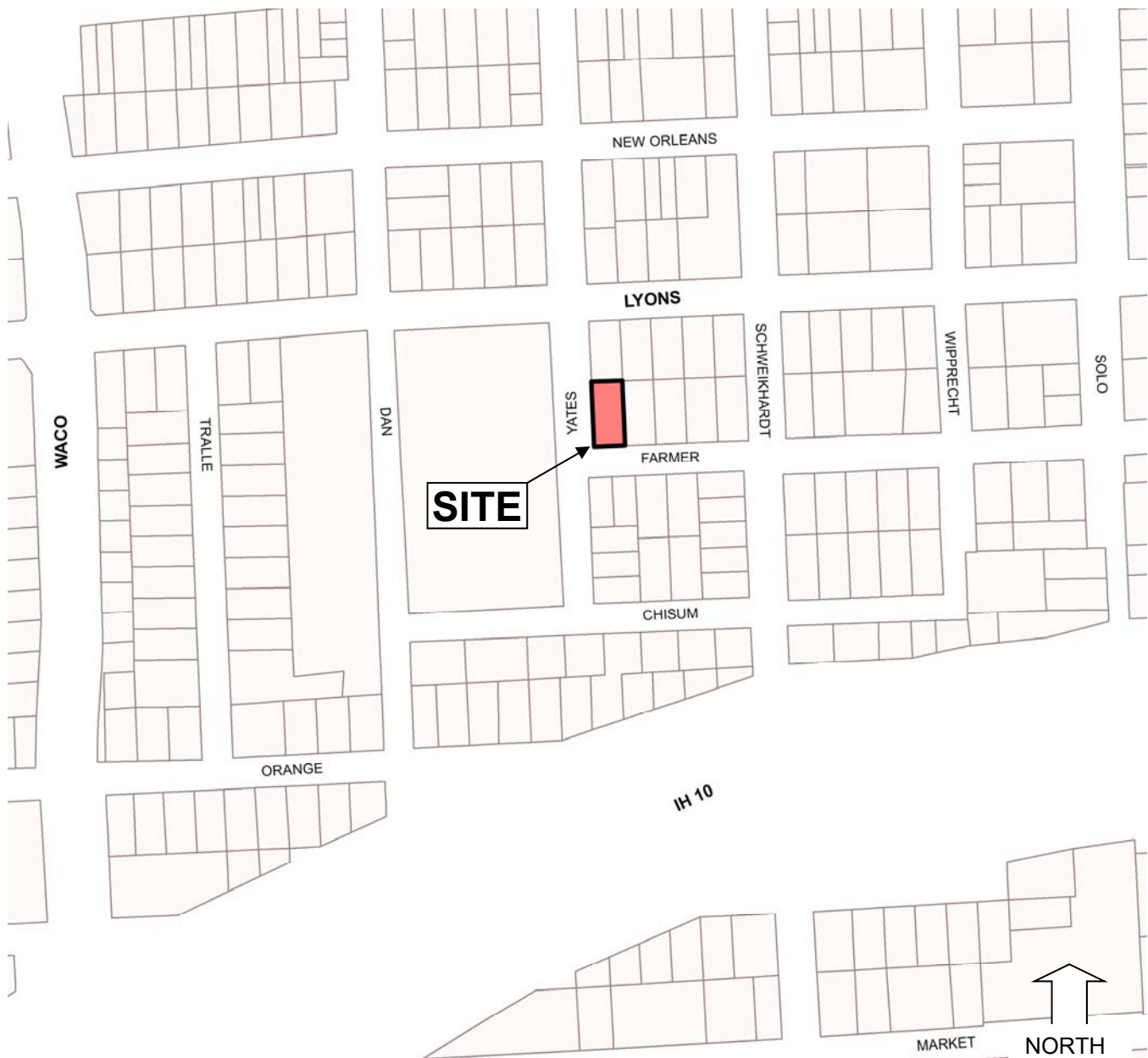
**ITEM: 93**

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Augusta Addition partial replat no 2 (DEF 1)

Applicant: SEM Services



**C – Public Hearings**

**Site Location**

# Houston Planning Commission

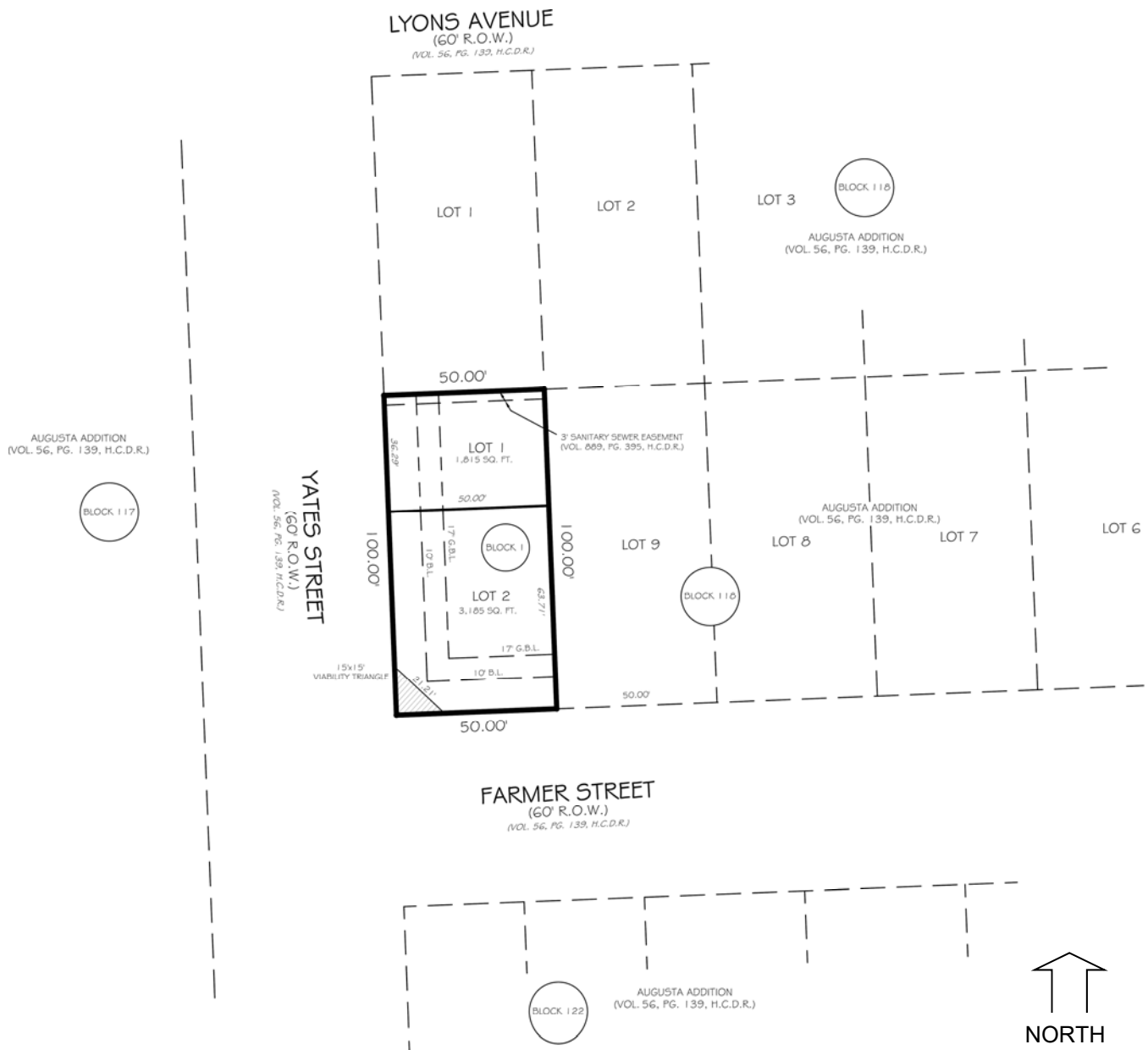
ITEM: 93

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Augusta Addition partial replat no 2 (DEF 1)

Applicant: SEM Services



C – Public Hearings

Subdivision



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# Houston Planning Commission

**ITEM: 93**

Planning and Development Department

Meeting Date: 05/28/2020

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**Subdivision Name: Augusta Addition partial replat no 2 (DEF 1)**

**Applicant: SEM Services**



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**C – Public Hearings**

**Aerial**

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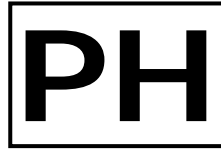
# CITY OF HOUSTON

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](http://www.houstontx.gov)

April 20, 2020

Dear Property Owner:

**Reference Number: 2020-0355; Augusta Addition partial replat no 2;** replatting of Lot 10, Block 118 of "Augusta Addition" as recorded in Volume 56, Pg 139 of the Harris County Deed Records.

The property is located at the northeast corner of Yates Street and Farmer Street.

The purpose of the replat is to create two lots.

The applicant, Stephanie Rivera-Lopez, with SEM Services, can be contacted at 832-986-8208.

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 blockface 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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## Virtual Planning Commission Meeting

**Thursday, May 14, 2020 at 2:30 PM**

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Council Members: Amy Peck Jerry Davis Abbie Kamin Carolyn Evans-Shabazz Dave Martin Tiffany Thomas Greg Travis Karla Cisneros  
Robert Gallegos Edward Pollard Martha Castex-Tatum Mike Knox David W. Robinson Michael Kubosh Letitia Plummer Sallie Alcorn  
Controller: Chris B. Brown

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- **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.

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# Houston Planning Commission

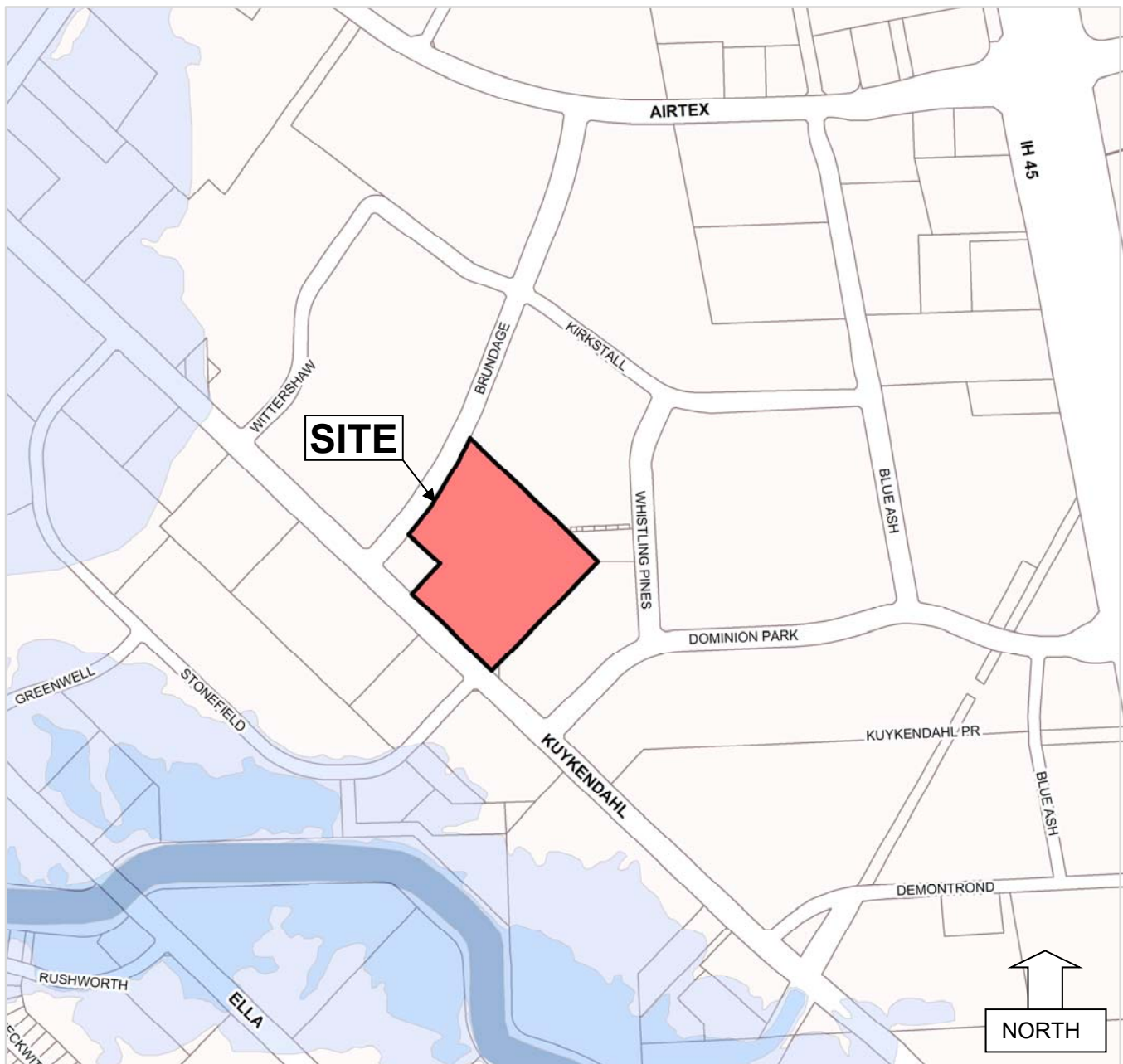
**ITEM: 94**

Planning and Development Department

Meeting Date: 05/28/2020

**Subdivision Name: Brundage Woods replat no 2 and extension**

**Applicant: Rekha Engineering, Inc.**



**C – Public Hearings**

**Site Location**



# Houston Planning Commission

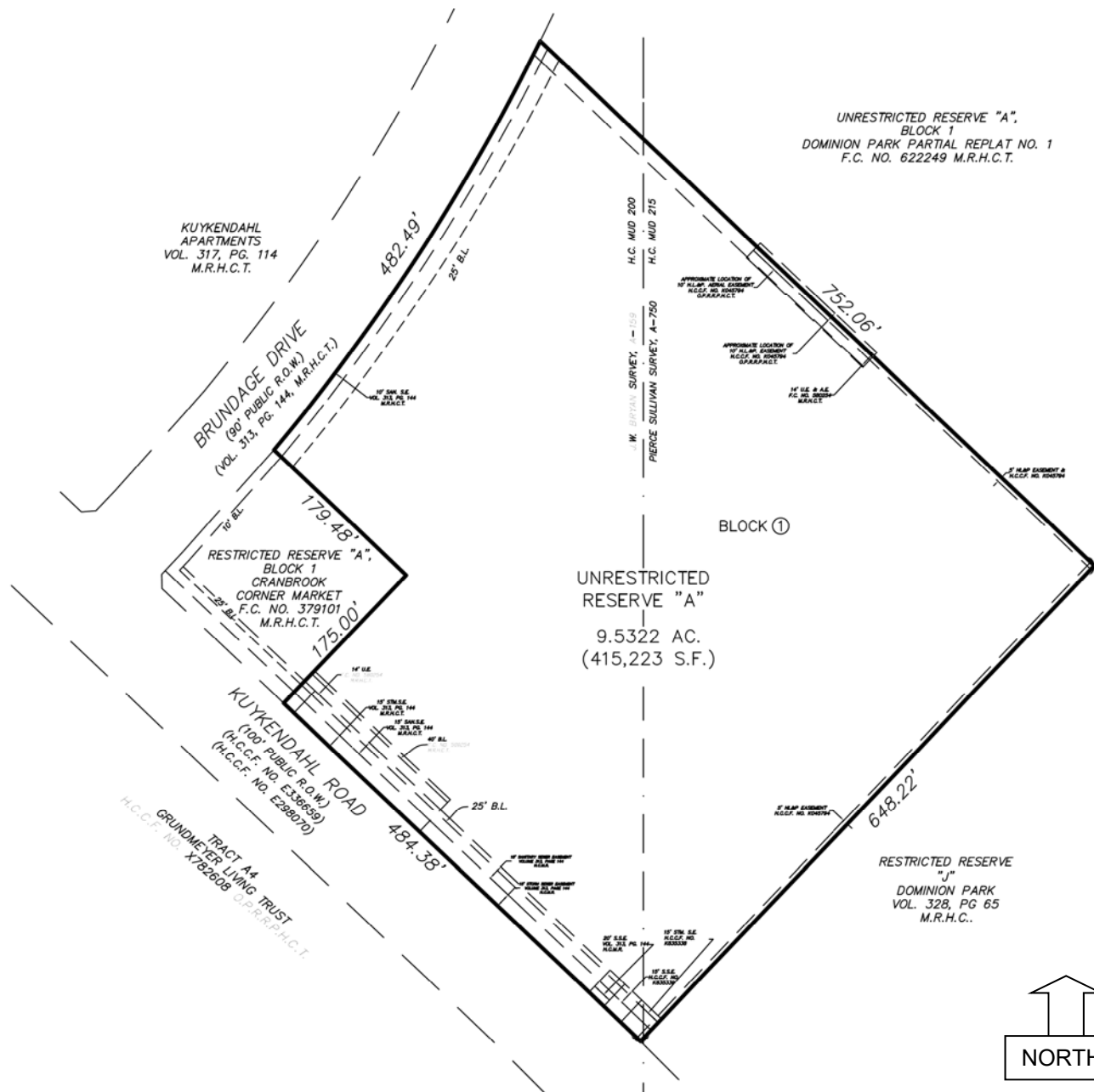
## ITEM: 94

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Brundage Woods replat no 2 and extension

Applicant: Rekha Engineering, Inc.



C – Public Hearings

Subdivision

# Houston Planning Commission

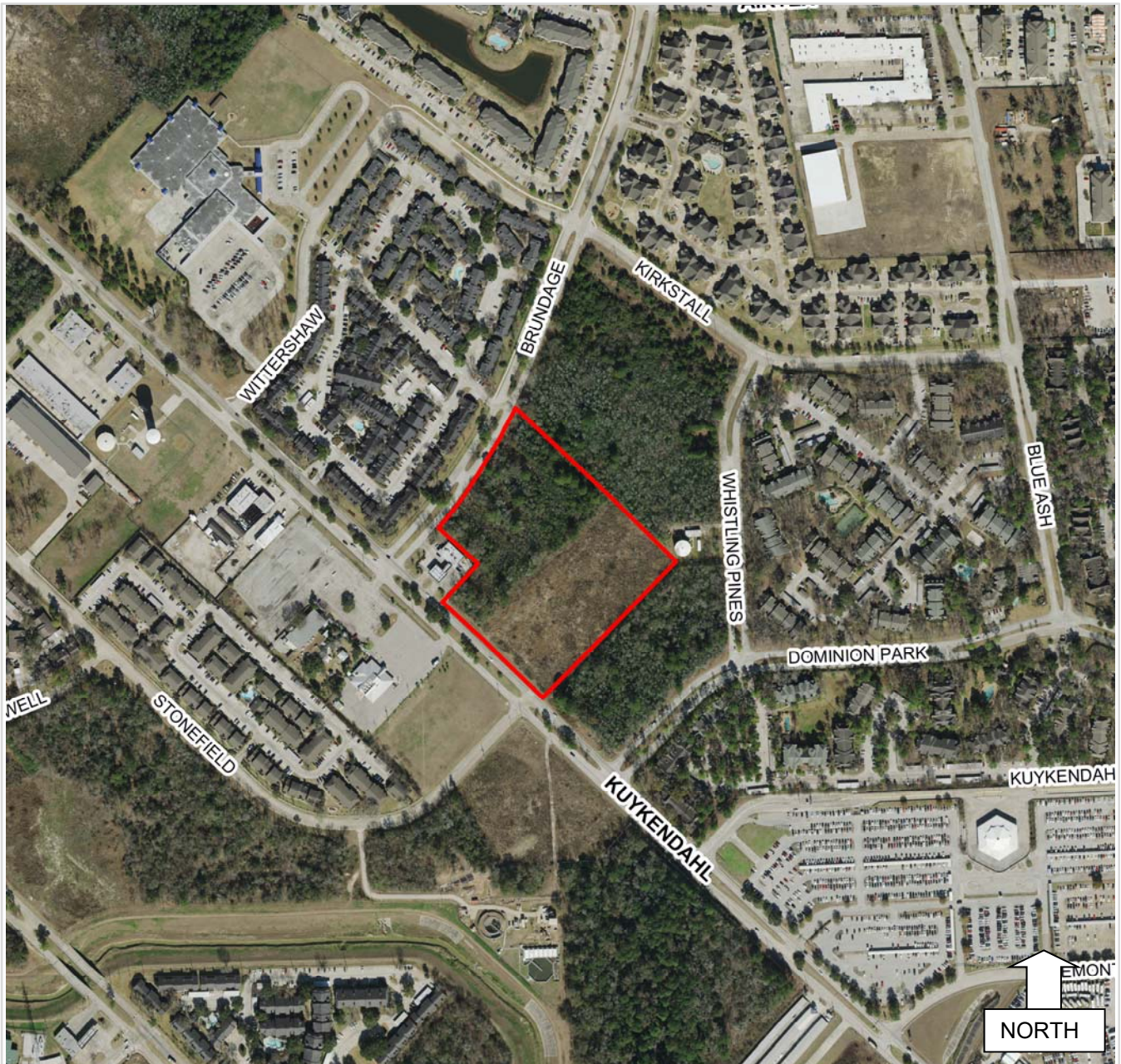
**ITEM: 94**

Planning and Development Department

Meeting Date: 05/28/2020

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**Applicant: Rekha Engineering, 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](http://www.houstontx.gov)

May 5, 2020

Dear Property Owner:

Reference Number: 2020-0555; "Brundage Woods replat no 2 and extension"; the full replatting of " Brundage Woods replat no 1". This proposal includes the replatting of unrestricted reserve "A", in Block 1, as recorded in film code no 580254 of the Harris County Map Records.

The property is located near the southeast intersection of Kuykendahl Road and Brundage Drive. The purpose of the replat is to one unrestricted reserve and remove a utility easement. The applicant, John English, with REKHA ENGINEERING, INC., on behalf of Church Development Services, LLC, can be contacted at 713-895-8080 Ext 201.

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 blockface 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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Controller: Chris B. Brown

# Houston Planning Commission

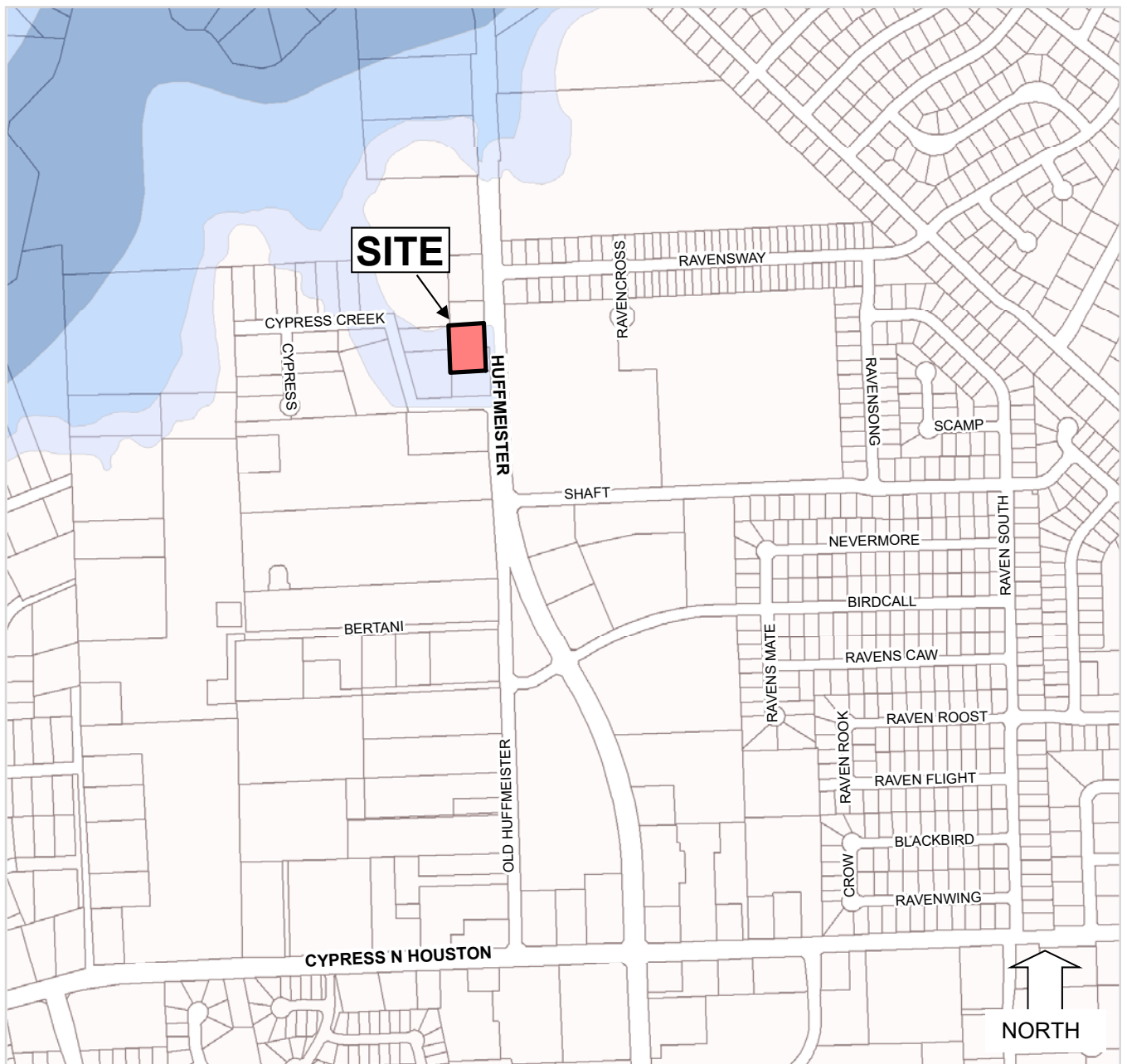
**ITEM: 95**

Planning and Development Department

Meeting Date: 05/28/2020

**Subdivision Name: Cypress Creek Plaza partial replat no 1**

**Applicant: RP & Associates**



**C – Public Hearings**

**Site Location**

# Houston Planning Commission

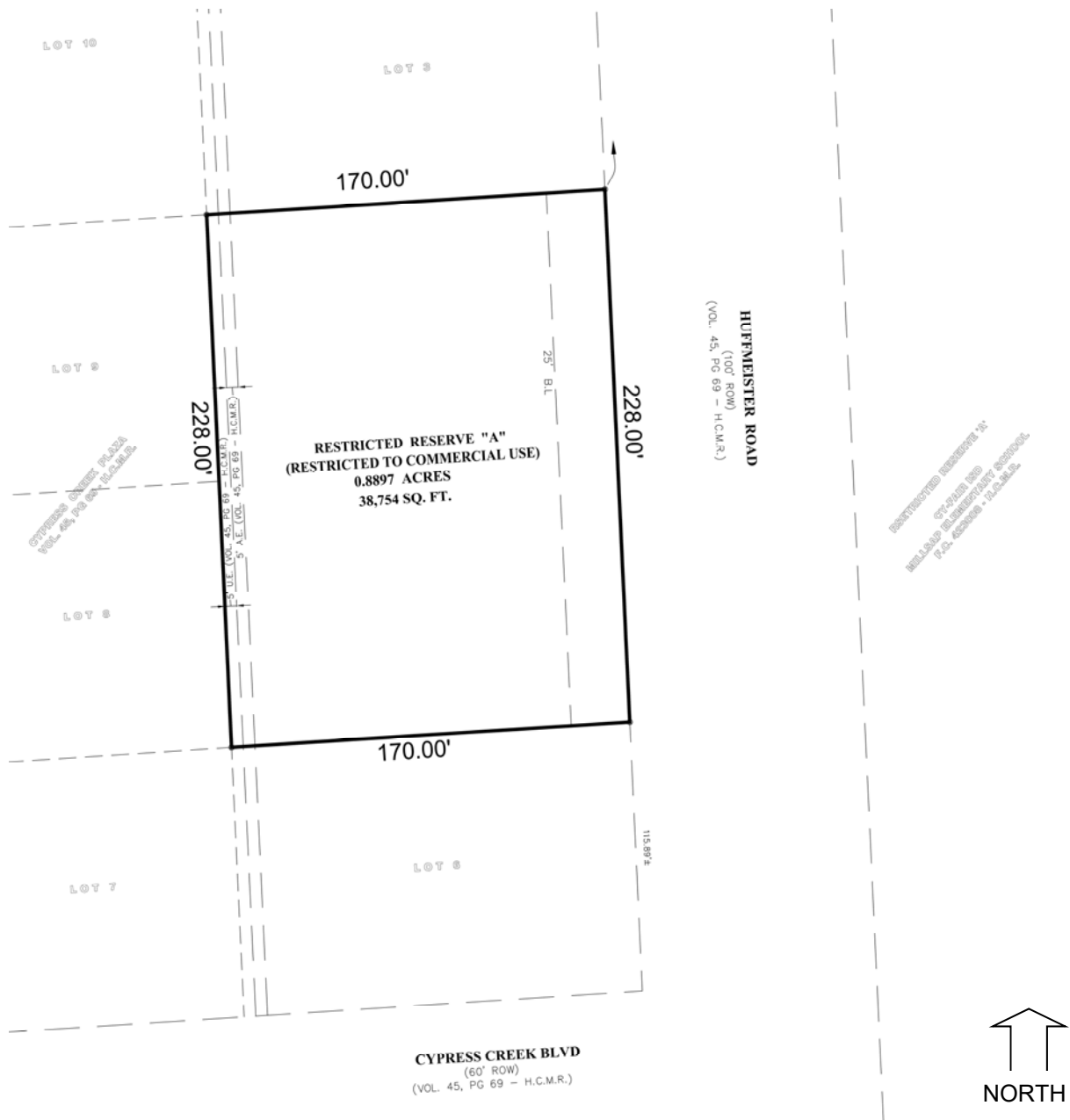
ITEM: 95

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Cypress Creek Plaza partial replat no 1

Applicant: RP & Associates



C – Public Hearings

Subdivision



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# Houston Planning Commission

## ITEM: 95

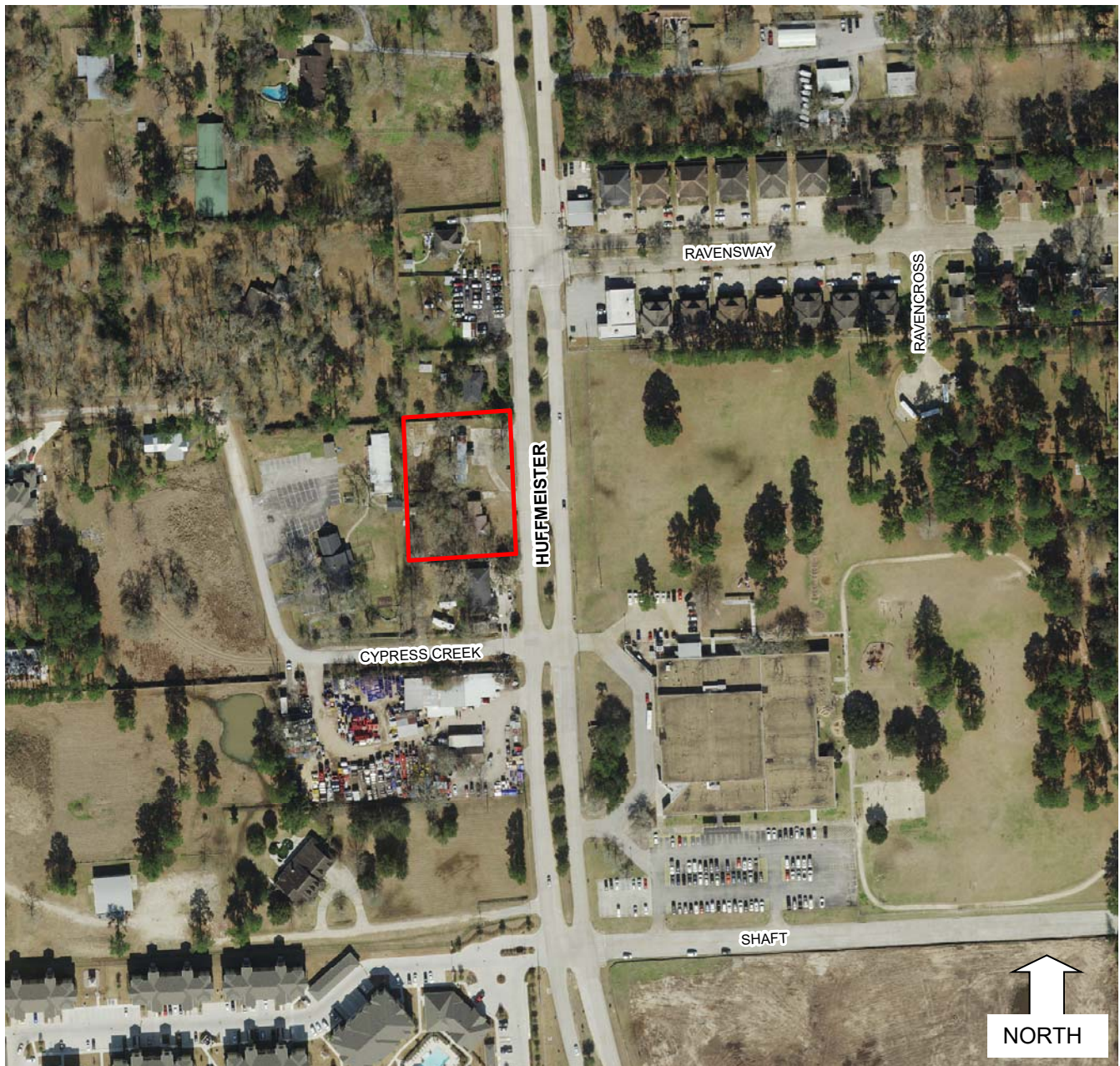
Planning and Development Department

Meeting Date: 05/28/2020

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Applicant: RP & Associates



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**C – Public Hearings**

**Aerial**

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**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](http://www.houstontx.gov)

May 6, 2020

Dear Property Owner:

**Reference Number: 2020-0323; "Cypress Creek Plaza partial replat no 1".** Partial replat of Cypress Creek Plaza. This proposal includes the replatting of Lots 4 and 5, in Block 1, as recorded in Volume 45 Page 69 of the Harris County Map Records.

The property is located along Huffmeister Road, north of Cypress Creek Boulevard and South of Ravensway Drive. The purpose of the replat is to create one (1) commercial reserve. The applicant, Ross Palacios, with RP & Associates, can be contacted at 713-416-6894.

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 blockface 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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# Houston Planning Commission

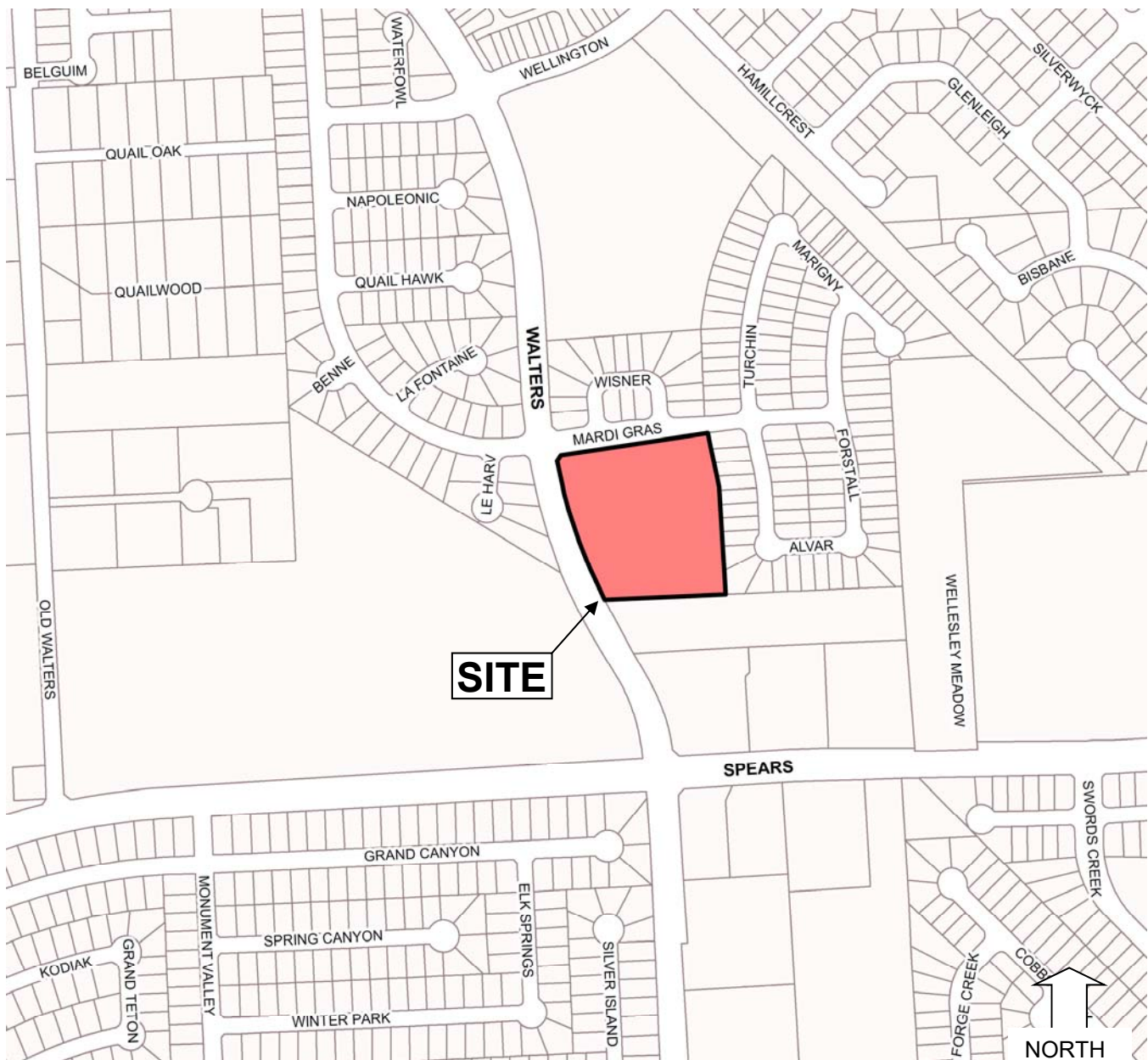
ITEM: 96

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Echo Leaf (DEF 1)

Applicant: EHRA



**C – Public Hearings with Variance      Site Location**

# Houston Planning Commission

ITEM: 96

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Echo Leaf (DEF 1)

Applicant: EHRA



C – Public Hearings with Variance

Subdivision



# Houston Planning Commission

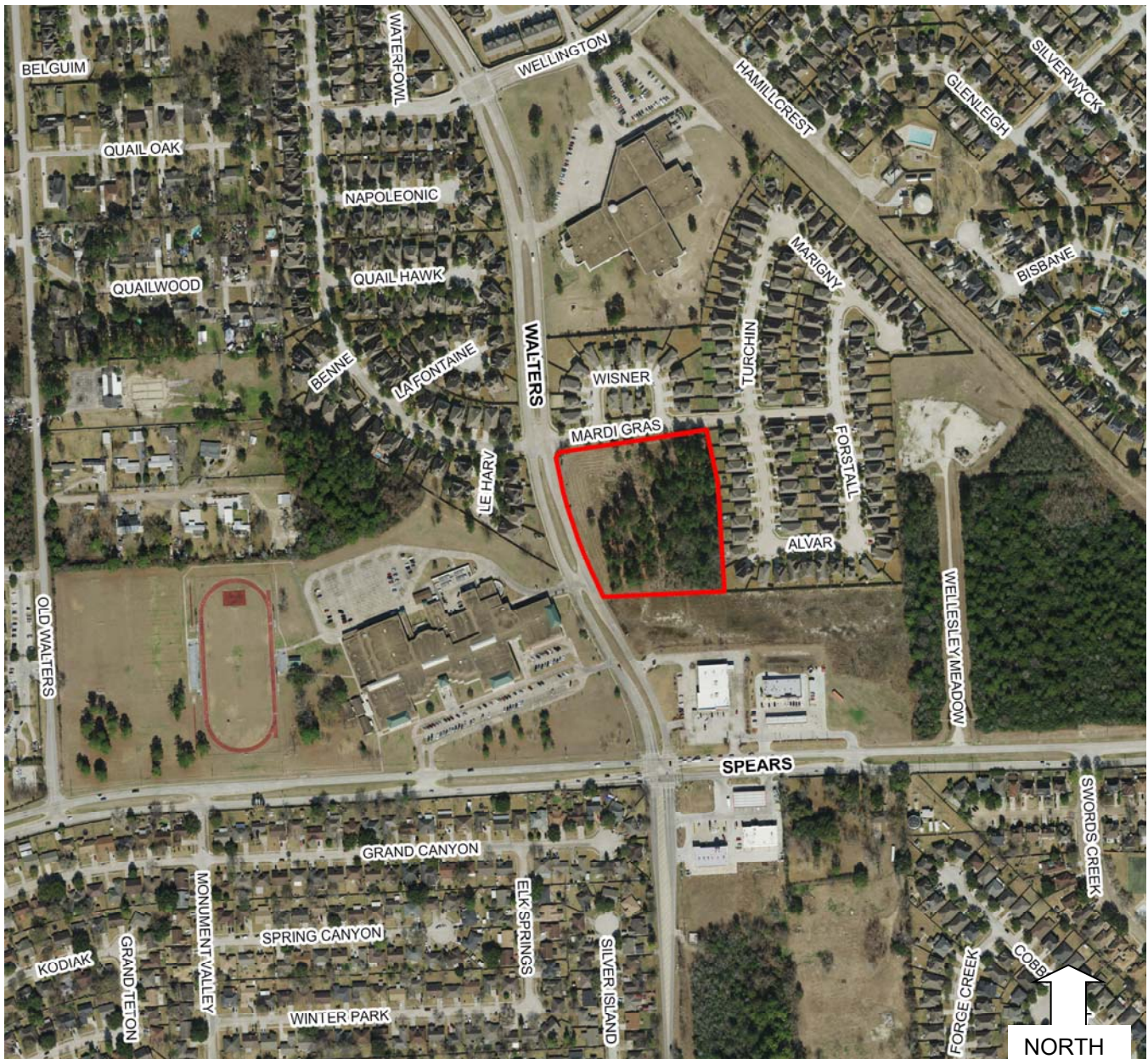
**ITEM: 96**

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Echo Leaf (DEF 1)

Applicant: EHRA



**C – Public Hearings with Variance**

**Aerial**





## PLANNING & DEVELOPMENT DEPARTMENT

## APPLICANT'S Variance Request Form

**Application Number:** 2020-0455

**Plat Name:** Echo Leaf

**Applicant:** EHRA

**Date Submitted:** 03/09/2020

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 is being requested to change a reserve restricted to commercial land use to 33 single family lots and 11 reserves.

**Chapter 42 Section:** 193

**Chapter 42 Reference:**

42-193 Rules governing partial replats of certain property. (3) a plat restriction limiting the use of property specifically to "commercial" use: (b) may be amended to permit single-family residential use of that property only if: [1] The typical lot size in the replat is not less than the typical lot size of lots in the preceding plat; or [2] the property abuts a major thoroughfare. (c) May be amended to any more specific "commercial" use of that property.

### 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 subject tract is a 5.30-acre tract of land located west side of Turchin Drive and east of Walters Road, previously platted as Silverleaf Subdivision. This replat, Echo Leaf, is a proposed private street single-family community which was previously platted as a commercial reserve in 2006 with plans for commercial retail. The subject tract has since been sold and the new developer desires to complement existing single-family development in Silverleaf and across Walters Road with additional housing. Due to the size of the parcel, developing the land as single-family residential lots would not create an adverse impact on traffic or risk to pedestrians in the area. The change in the use of the site would keep the area as single-family residential and maintain the integrity of the original Silverleaf Subdivision.

**(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;**

It has been over a decade since the Silverleaf Subdivision established this tract as a commercial reserve. The original plat predates the current ownership and use of this tract as commercial site is no longer feasible due to existing development in the area.

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

The tract is proposed to be replatted as single-family use and will thus maintain the integrity of the surrounding area. Vehicular access within this area is sufficient and the additional 37 lots would not have a negative impact since the existing intersection of Mardis Gras Drive and Wisner Circle will be utilized for entry rather than connection to major thoroughfare Walters Road.

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

Public health, safety and welfare will not be negatively impacted by granting this variance since sufficient traffic flow is provided in the area and connection to a major thoroughfare is not proposed. The granting of this variance would not be

injurious to the public's health, safety, or welfare as the proposed land use designation is single-family residential and thus matches within the immediate area.

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

Justification for the variance to replat commercial acreage into residential lots is based upon changing development patterns which have affected the area around this plat since the original subdivision was recorded in 2006.



Application Number: 2020-0455

Plat Name: Echo Leaf

Applicant: EHRA

Date Submitted: 03/09/2020

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 a single point of access for 153 single family lots on Mardi Gras Drive.

**Chapter 42 Section: 42-189**

**Chapter 42 Reference:**

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 a least 250 feet to a public street outside the boundaries of the subdivision.

### 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 subject tract is a 5.30-acre tract of land located at the southeast corner of Walters Road and Mardi Gras Drive. Echo Leaf is a proposed single-family community, being a replat of a commercial reserve established in 2006 with the Silverleaf Subdivision. This tract has remained undeveloped since the plat was recorded. The tract has frontage on both Walters Road (a four-lane divided major collector) and Mardi Gras Drive (a two-lane residential street with a right turn lane adjacent to the tract). We firmly believe that taking access from Mardi Gras Drive rather than Walters Road is the appropriate planning decision. From a purely safety related point of view, (1) the speed of travel on Mardi Gras Drive is slower than Walters Road, (2) if vehicles need to queue to enter the Echo Leaf subdivision, it is more appropriate to do so on Mardi Gras Drive which is an internal street rather than a collector, and (3) a community entry via Walters Road would require either a u-turn for vehicles intending to travel to the south or we would have to match the existing median break on Walters Road which was created for a driveway serving Stelle Claughton Middle School. Mixing additional vehicular traffic at a median break created for use by the school would unnecessarily stress an unsignalized intersection. The proper neighborhood orientation for the new Echo Leaf lots is to take access from Mardi Gras Drive.

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

Currently, there are 116 single-family lots within the original Silverleaf Subdivision that use Mardi Gras Drive to provide access to Walters Road. This portion of the subdivision east of Walters Road has no connectivity to any other adjacent tracts so the addition of 37 lots in Echo Leaf will raise the total to 153 lots. This would represent the absolute ultimate total achievable lot count as no other connectivity exists to add additional property or lots. The 150-lot threshold in Chapter 42 was conceivably established to prevent ingress/egress issues at neighborhood entrances and guarantee that vehicular circulation would be maintained. The ability to request a Special Exception is built into Chapter 42 because there is no way to foresee all circumstances. The replatting of the tract for single-family use, location and type of adjacent right-of-way, and lot size based on market conditions are all factors which contribute to the need to cross the 150-lot threshold. However, none of the factors result in an egregious disregard of the city's planning standards. Quite the opposite is true. Replatting an unused commercial property for residential use within an established residential neighborhood is an appropriate use. Taking access from an established residential street rather than a collector street will provide safer ingress/egress (i.e. vehicular entry speeds will be slower).

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

The addition of 3 lots over the 150-lot maximum standard is a modification of 2%, which is not disproportionate because it is well within the 33% special exception standard. The additional 3 lots represent an increase of 30 vehicle trips per day generated by this project. Since Mardi Gras Drive has a dedicated right turn lane accompanying a through/left turn lane at Walters Road, the additional vehicle count will have a negligible ingress/egress effect on the rest of the subdivision.

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

In conjunction with a variance to replat the commercial tract to allow single-family residential use, the requested special exception allows for development of an unused tract of land to take appropriate access from a residential street without a disproportionate increase in traffic circulation. Thus, the general purposes of Chapter 42 will be maintained.

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

The granting of this special exception will not be injurious to the public health, safety or welfare because the three additional lots over the Chapter 42 maximum will not significantly increase the vehicle trips along Mardi Gras Drive and the chosen location for the project's entry is more appropriate as designed rather than on Walters Road which is a collector street serving several schools and other adjacent neighborhoods.

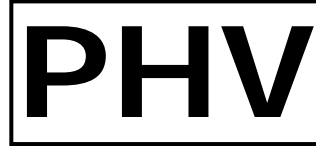


# CITY OF HOUSTON

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](http://www.houstontx.gov)

April 22, 2020

Dear Property Owner:

**Reference Number: 2020-0455; "Echo Leaf"**, replatting of **"Silverleaf Subdivision"**, Reserve A in block 5 as recorded in Film Code No. 603164 of the Harris County Map Records.

The property is located east along Walter Road, south of Marti Gras Drive and north Spears Road. The purpose of the replat is to create thirty-seven (33) lots and eleven (11) reserves. The applicant, Christopher Browne, with EHRA can be contacted at 713-784-4500 extension 2259.

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 blockface 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.

Due to the COVID 19 emergency, and the Mayor's directives on social distancing and limits on public gatherings, the Planning Commission has switched its meetings to an electronic virtual meeting format. Thus, this item is scheduled for public hearing and consideration at a

### Virtual Planning Commission Meeting

**Thursday, May 14, 2020 at 2:30 PM**

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[www.houstonplanning.com](http://www.houstonplanning.com)

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1. Send email to: [Speakercomments.pc@houstontx.gov](mailto:Speakercomments.pc@houstontx.gov)

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2. **Telephone:** You may call the Planning Department at: 832-393-6624 and a staff member will take your comments and this will also be read into the record and made part of the meeting record.

For additional information regarding this project, please call Christopher Browne, with EHRA can be contacted at 713-784-4500 extension 2259. You may also contact staff with the Planning and Development Department regarding this notice via email at [planning.publichearing@houstontx.gov](mailto:planning.publichearing@houstontx.gov) or call (832)393-6600.

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

212.015 (c) If the proposed replat requires a variance and is protested in accordance with this subsection, the proposed replat must receive, in order to be approved, the affirmative vote of at least three-fourths of the members present of the municipal planning commission or governing body, or both. For a legal protest, written instruments signed by the owners of at least 20 percent of the area of lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, but within the original subdivision, must be filed with the municipal planning commission or governing body, or both, prior to the close of the public hearing.

**NOTE: YOU MUST LIVE OR OWN PROPERTY IN THE PROTEST AREA TO QUALIFY FOR THREE-FOURTHS AFFIRMATIVE VOTE OF PLANNING COMMISSION. 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.**

### ***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



# Houston Planning Commission

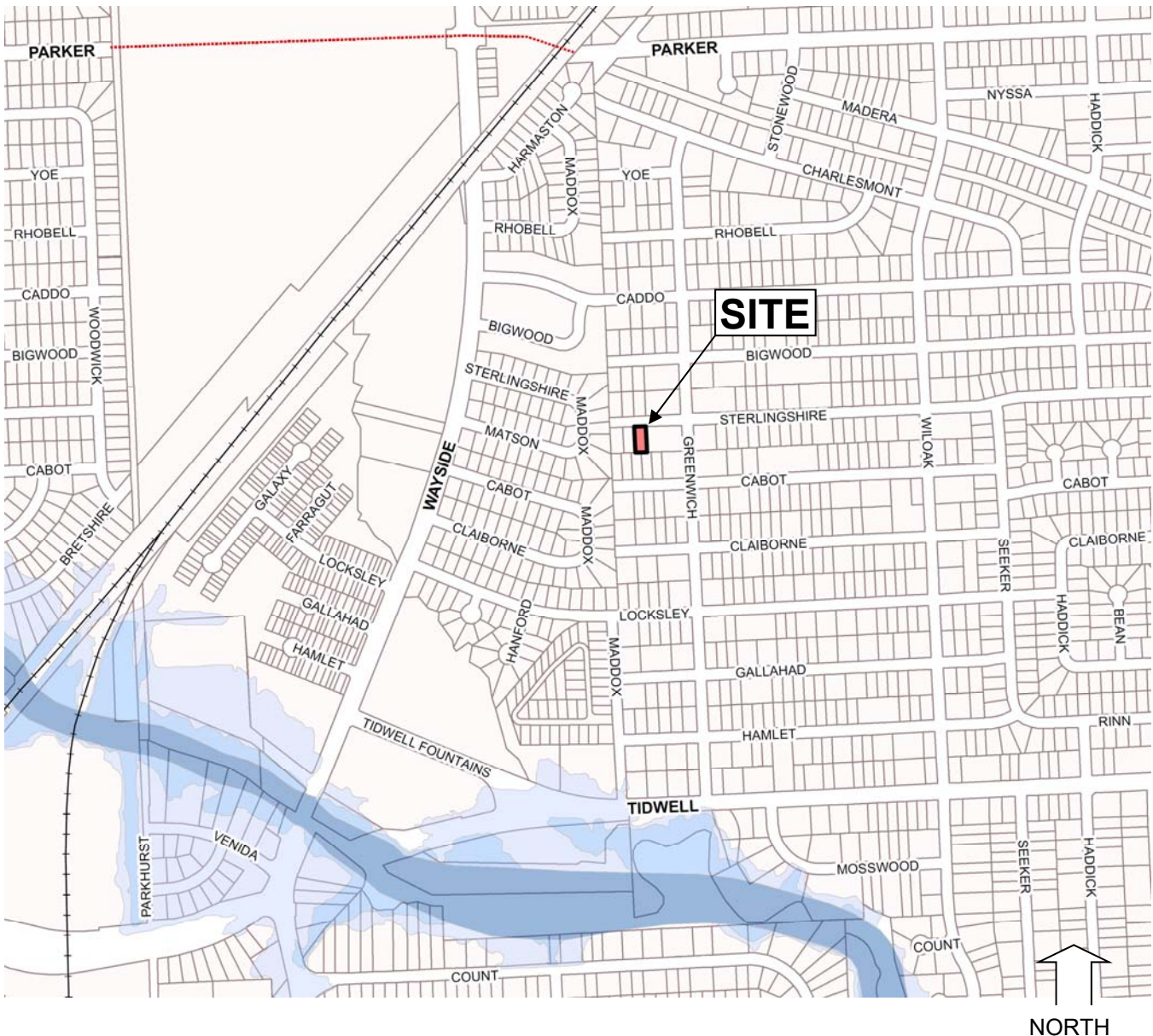
**ITEM: 97**

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Melbourne Place Sec 1 partial replat no 2

Applicant: Windrose



**C – Public Hearings**

**Site Location**

# Houston Planning Commission      ITEM: 97

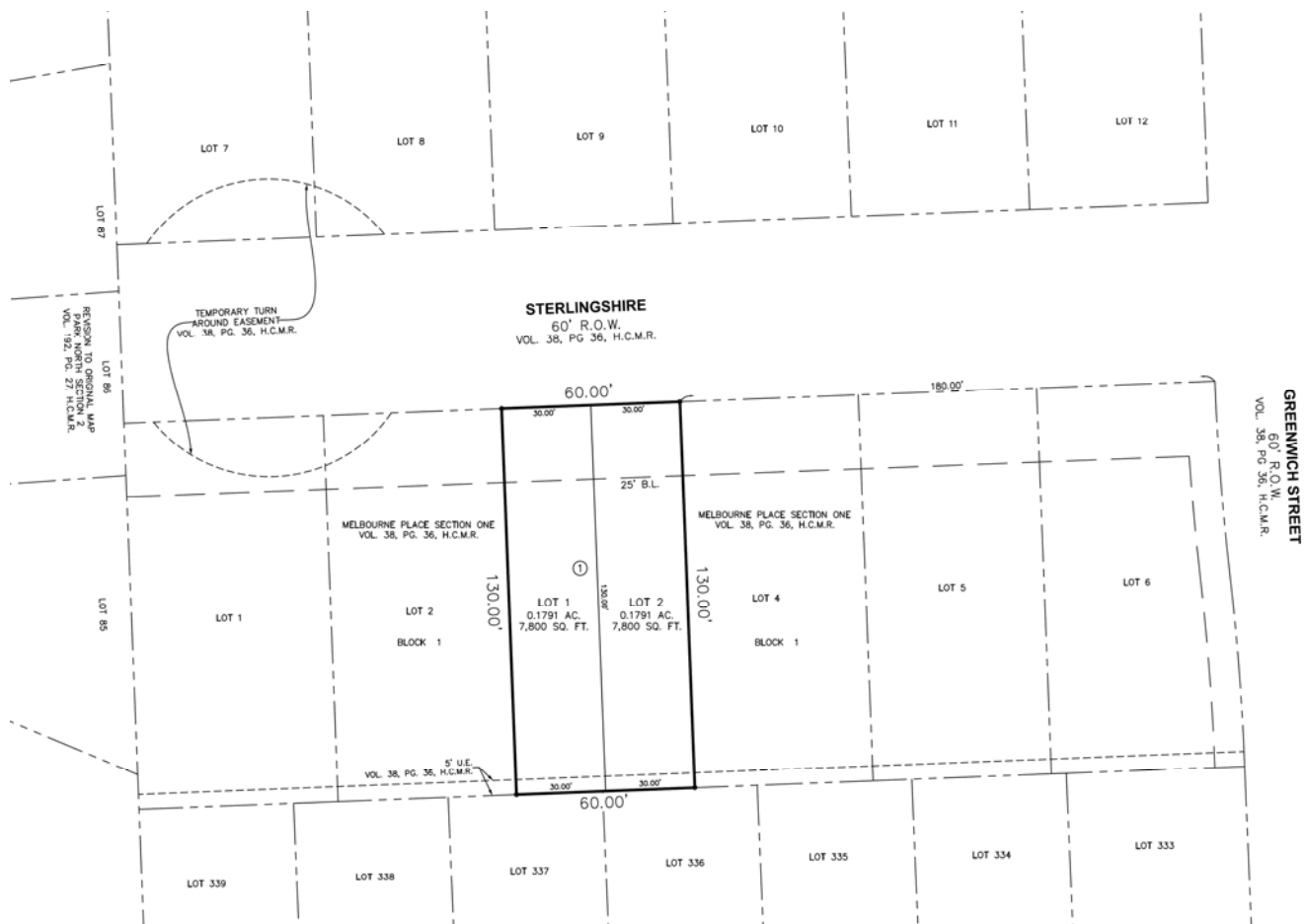
**ITEM: 97**

## Planning and Development Department

**Meeting Date: 05/28/2020**

**Subdivision Name: Melbourne Place Sec 1 partial replat no 2**

**Applicant: Windrose**



## C – Public Hearings

## Subdivision



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# Houston Planning Commission

## ITEM: 97

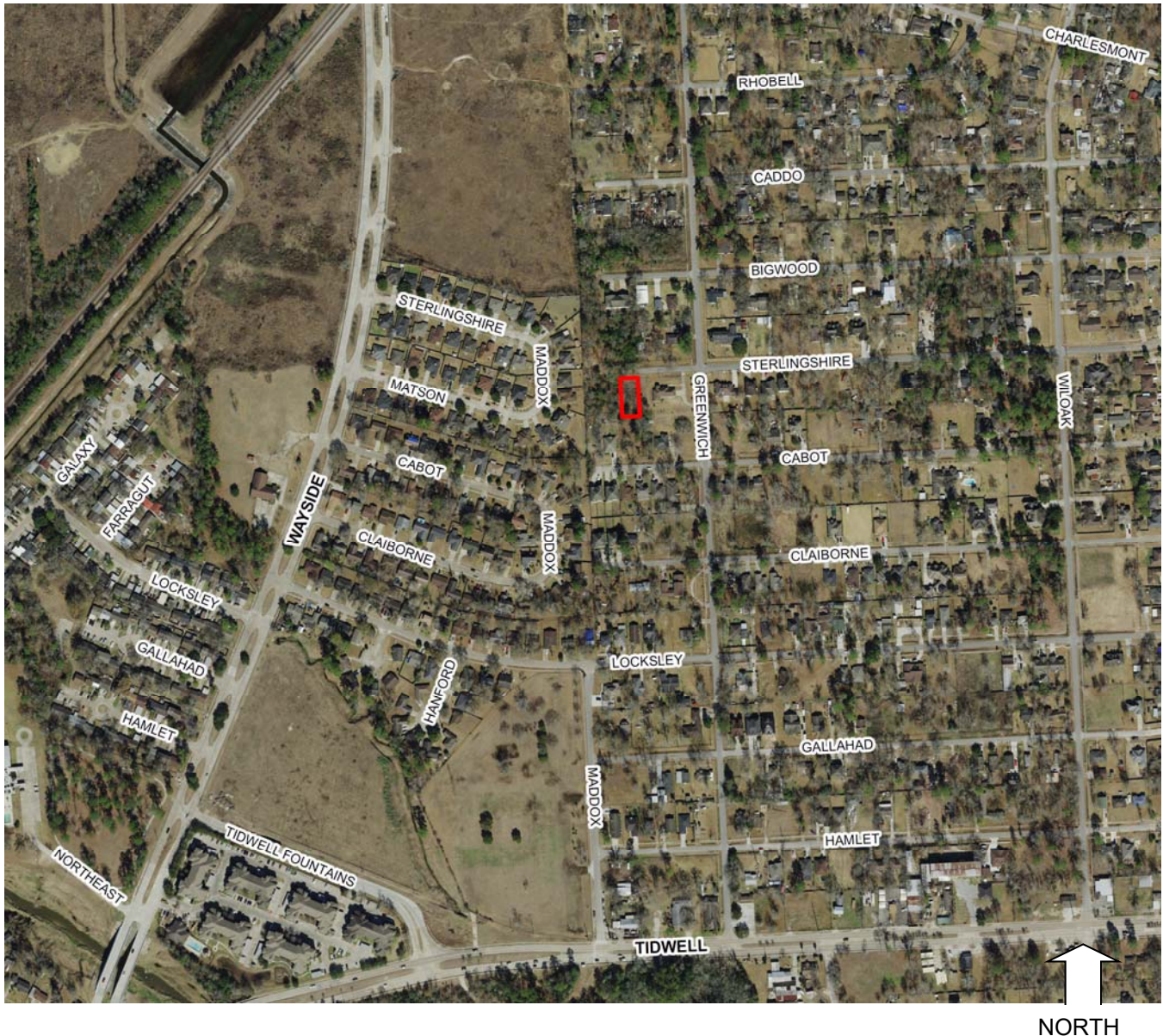
Planning and Development Department

Meeting Date: 05/28/2020

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Subdivision Name: Melbourne Place Sec 1 partial replat no 2

Applicant: Windrose



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C – Public Hearings

Aerial

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**CITY OF HOUSTON**  
Planning and Development

**Sylvester Turner**  
Mayor

**Public Hearing Notice**



Margaret Wallace Brown  
Director  
P.O. Box 1562  
Houston, Texas 77251-1562  
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F. 832.393.6661  
[www.houstontx.gov](http://www.houstontx.gov)

May 1, 2020

Dear Property Owner:

**Reference Number: 2020-0545; Melbourne Place Sec 1 partial replat no 2;** replatting of all of Lot 3, Block 1 of "Melbourne Place Sec 1" as recorded in Volume 38, Page 36 of the Harris County Map Records.

The property is located south of Sterlingshire St., west of Greenwich St.

The purpose of the replat is to create two (2) single-family lots.

The applicant, Carlos G. Espinoza y Sanchez, with Windrose Land Services Inc., can be contacted at 713-458-2281.

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 blockface 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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For additional information regarding this project, please call Carlos G. Espinoza y Sanchez, with Windrose Land Services Inc., at 713-458-2281. You may also contact staff with the Planning and Development Department regarding this notice via email at [planning.publichearing@houstontx.gov](mailto:planning.publichearing@houstontx.gov) or call (832)393-6600.

THE PLAT MAY BE DEFERRED. THE NEW DATE FOR COMMISSION ACTION WILL BE INDICATED ON THE POSTED SIGN(S) THE MONDAY 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.

### ***Terminology***

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### ***Planning Commission Body, Authority and Obligation***

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### ***Planning Department Staff Authority and Obligation***

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# Houston Planning Commission

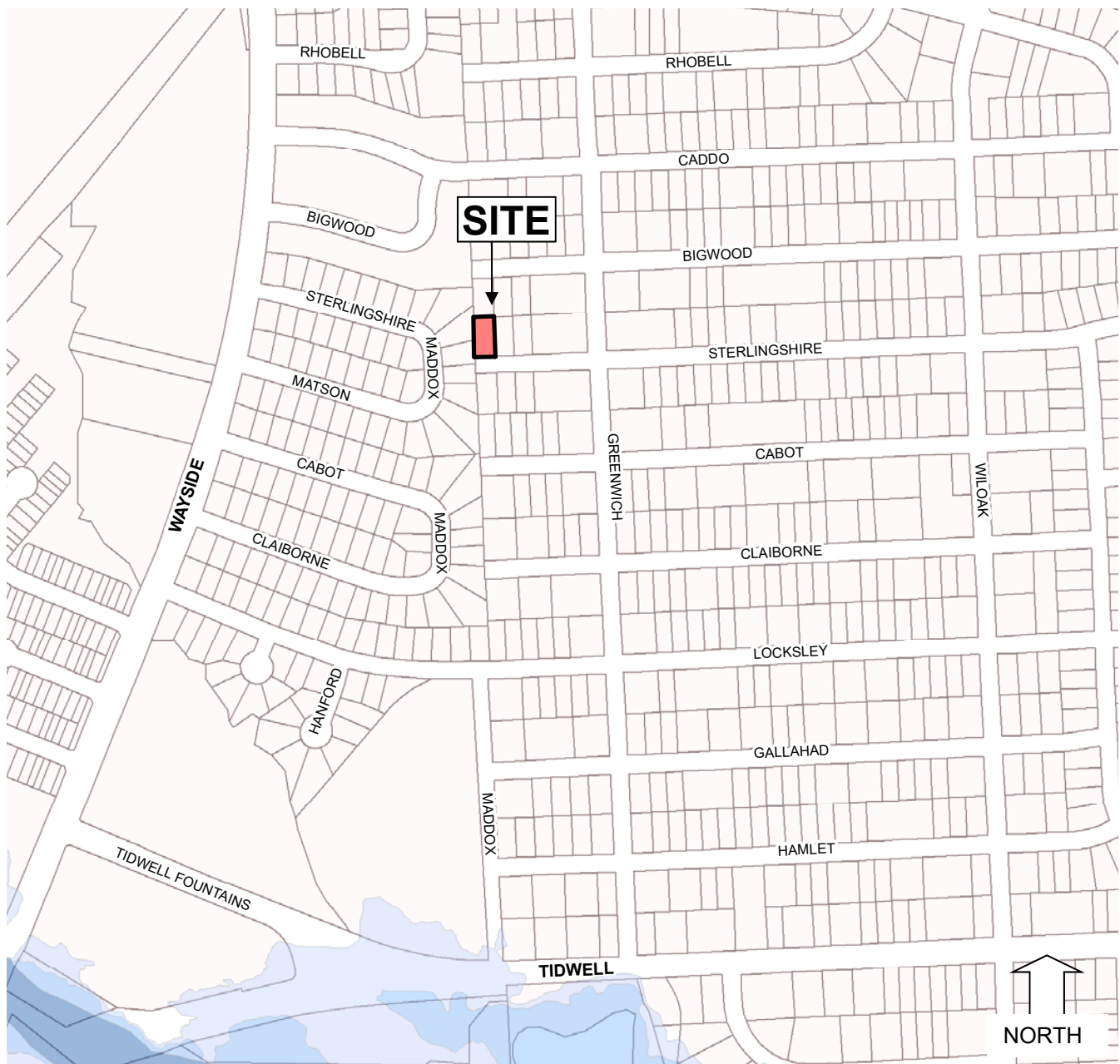
**ITEM: 98**

Planning and Development Department

Meeting Date: 05/28/2020

**Subdivision Name: Melbourne Place Sec 1 partial replat no 3**

**Applicant: Windrose**



**C – Public Hearings**

**Site Location**



## Subdivision

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# Houston Planning Commission

## ITEM: 98

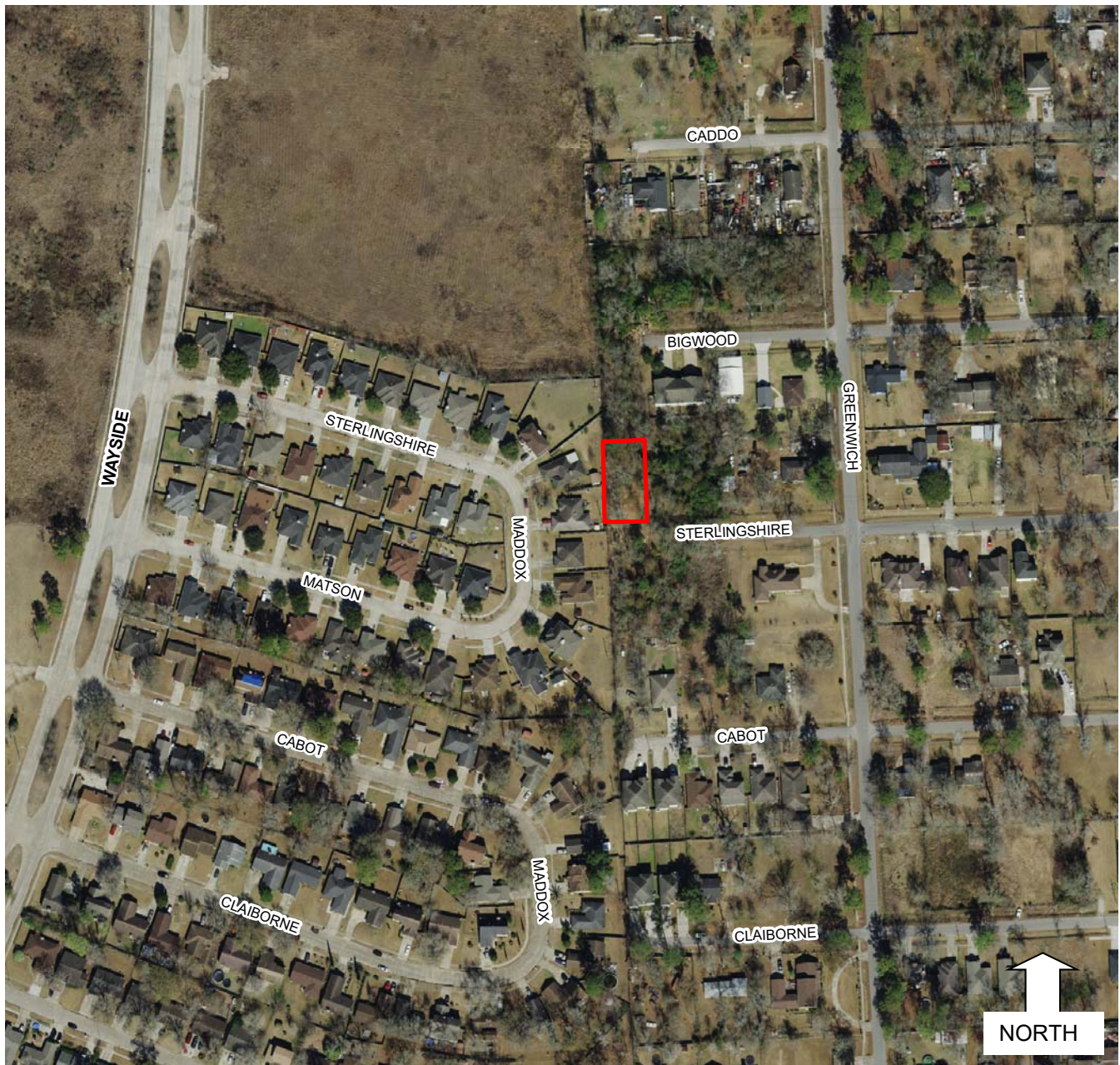
Planning and Development Department

Meeting Date: 05/28/2020

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Subdivision Name: Melbourne Place Sec 1 partial replat no 3

Applicant: Windrose



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C – Public Hearings

Aerial

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**CITY OF HOUSTON**  
Planning and Development

**Sylvester Turner**  
Mayor

**Public Hearing Notice**



Margaret Wallace Brown  
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Houston, Texas 77251-1562  
  
T. 832.393.6600  
F. 832.393.6661  
[www.houstontx.gov](http://www.houstontx.gov)

May 1, 2020

Dear Property Owner:

**Reference Number: 2020-0546; Melbourne Place Sec 1 partial replat no 3;** replatting of all of Lot 7, Block 2 of "Melbourne Place Sec 1" as recorded in Volume 38, Page 36 of the Harris County Map Records.

The property is located north of Sterlingshire St., west of Greenwich St.

The purpose of the replat is to create two (2) single-family lots.

The applicant, Carlos G. Espinoza y Sanchez, with Windrose Land Services Inc., can be contacted at 713-458-2281.

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# Houston Planning Commission

**ITEM: 99**

Planning and Development Department

Meeting Date: 05/28/2020

**Subdivision Name: Neuen Manor partial replat no 18**

**Applicant: Total Surveyors, Inc.**



**C – Public Hearings**

**Site Location**

# Houston Planning Commission

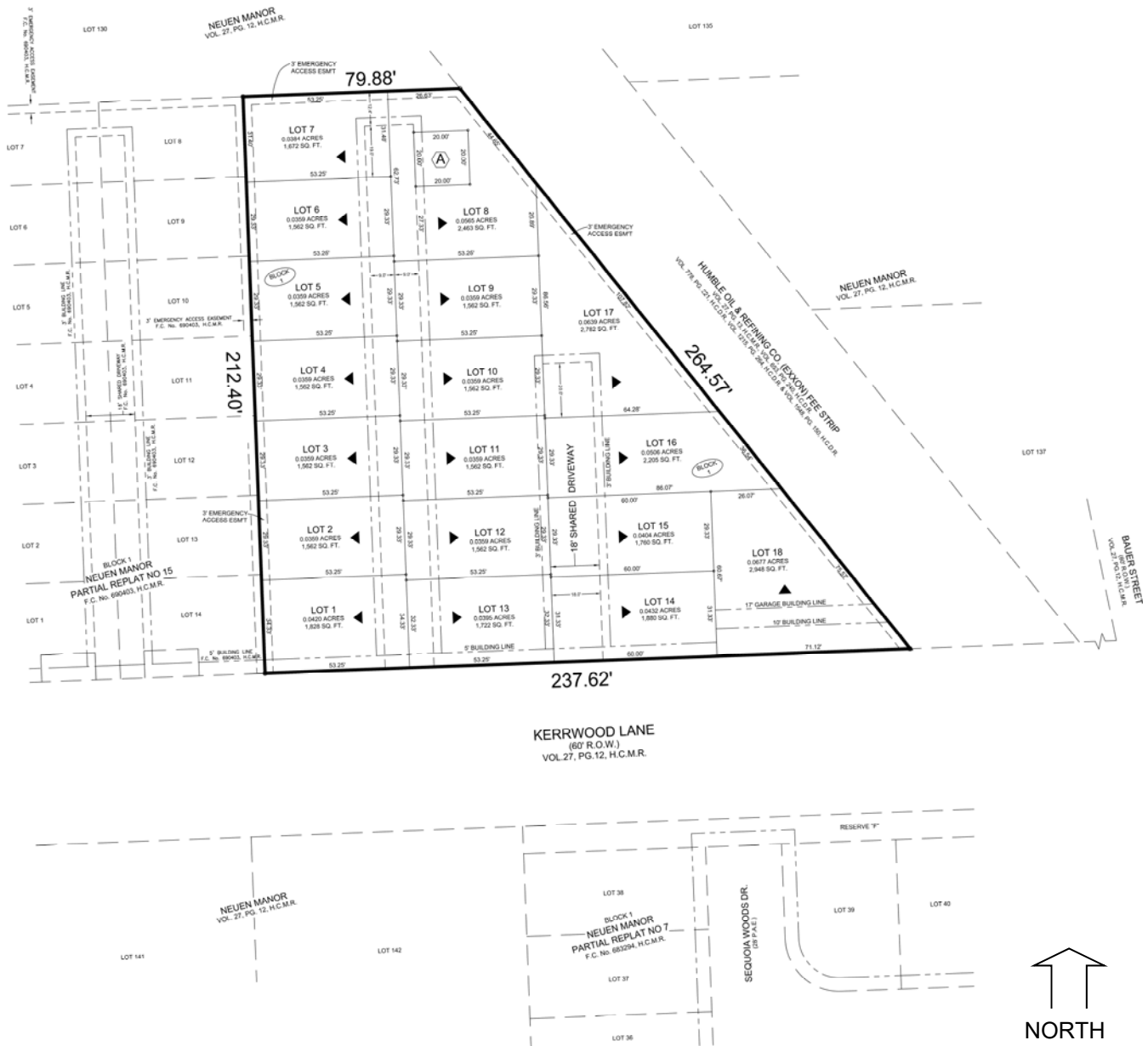
ITEM: 99

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Neuen Manor partial replat no 18

Applicant: Total Surveyors, Inc.



C – Public Hearings

Subdivision



# Houston Planning Commission

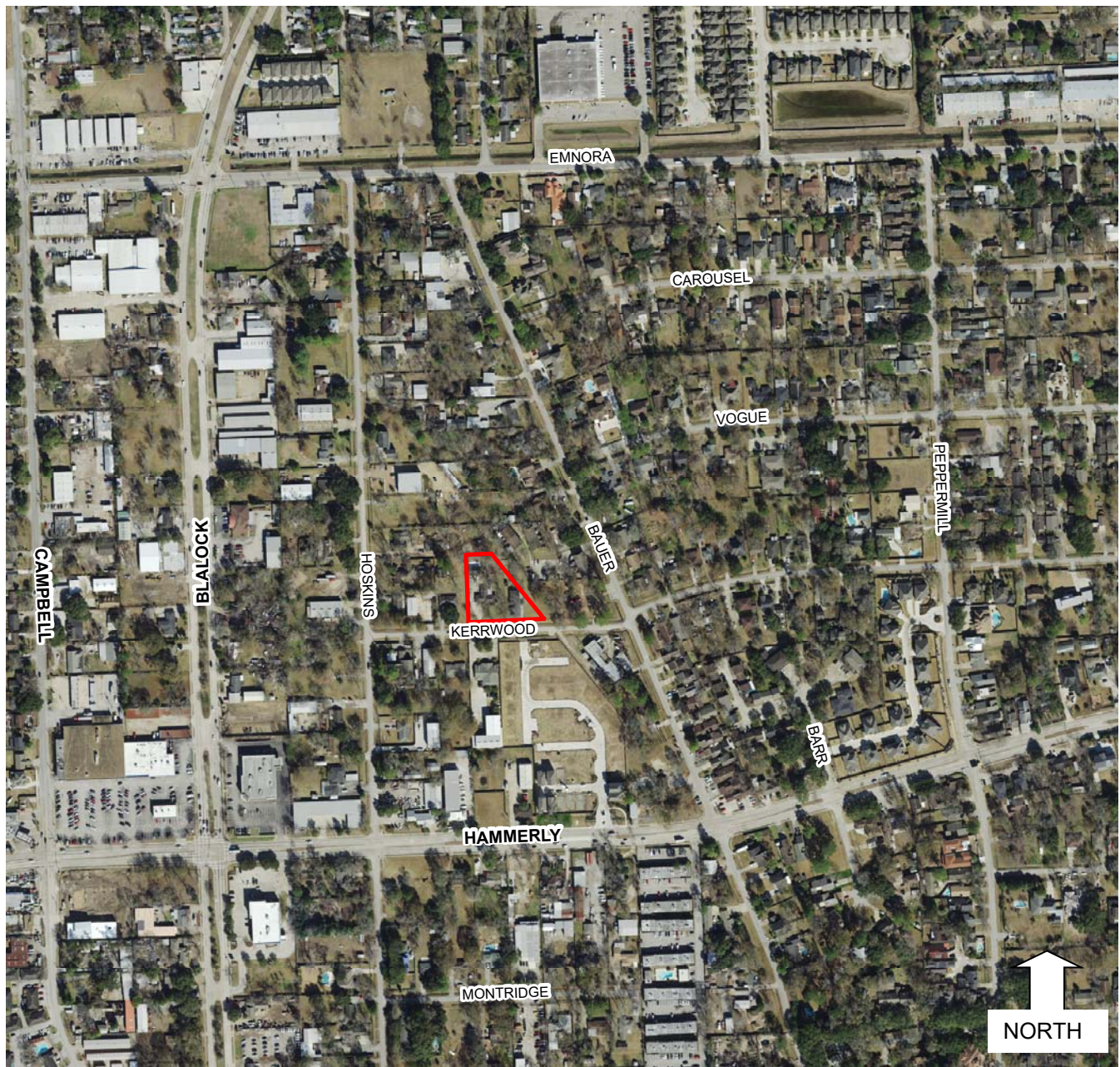
**ITEM: 99**

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Neuen Manor partial replat no 18

Applicant: Total Surveyors, Inc.



**C – Public Hearings**

**Aerial**



# CITY OF HOUSTON

Planning and Development

**Sylvester Turner**  
Mayor

## Public Hearing Notice



Margaret Wallace Brown  
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May 1, 2020

Dear Property Owner:

Reference Number: 2020-0550; "Neuen Manor partial replat no 18"; partial replatting of " Neuen Manor". This proposal includes the replatting of all of lot 135, save and except the west 6.5' of Lot 135, as recorded in Volume 27, Page 13 of the Harris County Map Records.

The property is located north of Hammerly Blvd east of Blalock Road. The purpose of the replat is to create eighteen (18) single-family residential lots. The applicant, Kevin Kolb, with Total Surveyors, Inc., on behalf of Legion Builders, LLC, can be contacted at 281-479-8719.

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 blockface 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.

Due to the COVID 19 emergency, and the Mayor's directives on social distancing and limits on public gatherings, the Planning Commission has switched its meetings to an electronic virtual meeting format. Thus, this item is scheduled for public hearing and consideration at a

### **Virtual Planning Commission Meeting**

**Thursday, May 28, 2020 at 2:30 PM**

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[www.houstonplanning.com](http://www.houstonplanning.com)

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2. **Telephone:** You may call the Planning Department at: 832-393-6624 and a staff member will take your comments and this will also be read into the record and made part of the meeting record.

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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 MONDAY 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.**

***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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- **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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# Houston Planning Commission

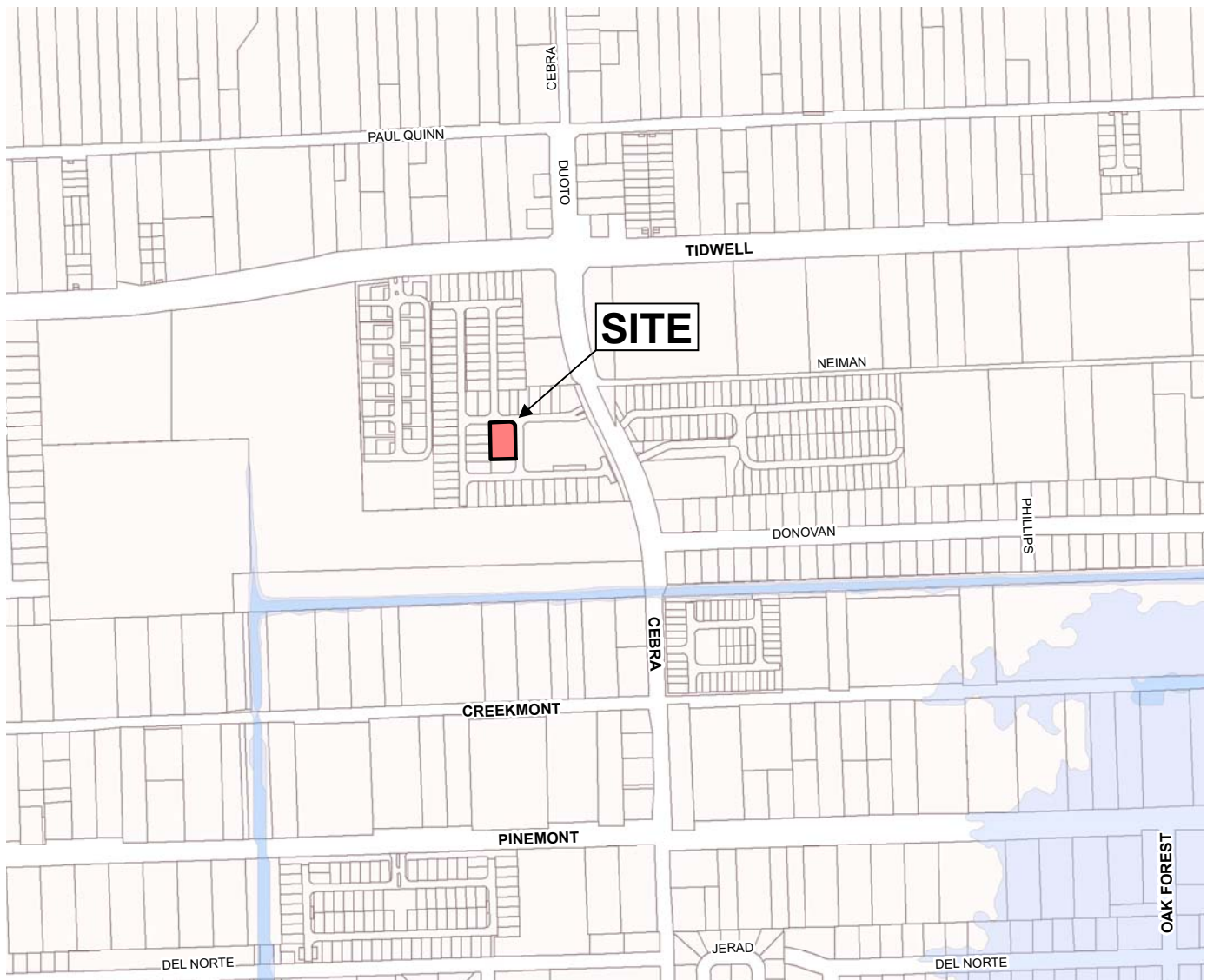
**ITEM: 100**

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Oak Forest of La Sierra partial replat no 1

Applicant: PLS CONSTRUCTION LAYOUT, INC



**C – Public Hearings**

**Site Location**

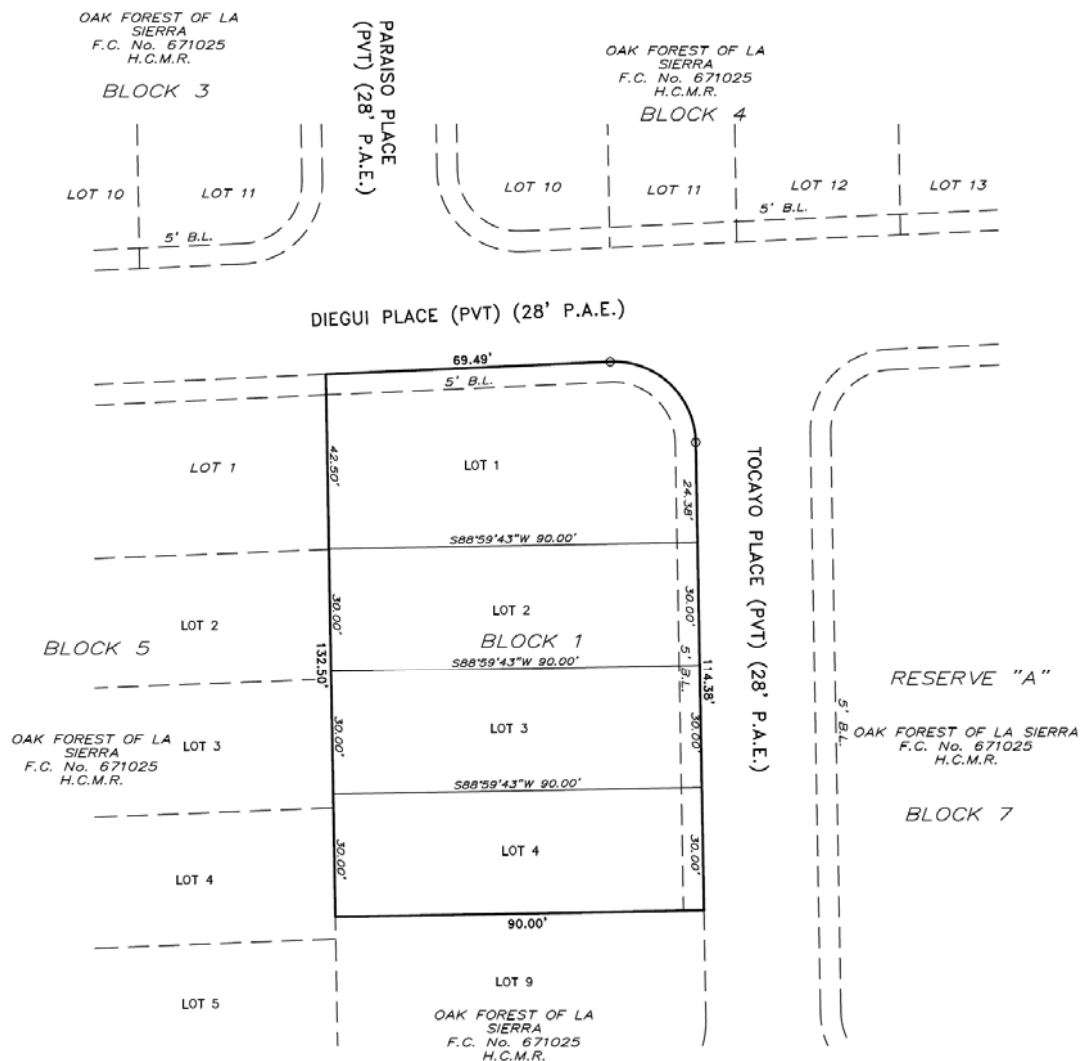
# Houston Planning Commission ITEM: 100

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Oak Forest of La Sierra partial replat no 1

Applicant: PLS CONSTRUCTION LAYOUT, INC



C – Public Hearings

Subdivision



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# Houston Planning Commission **ITEM: 100**

Planning and Development Department

Meeting Date: 05/28/2020

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Subdivision Name: Oak Forest of La Sierra partial replat no 1

Applicant: PLS CONSTRUCTION LAYOUT, INC



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**C – Public Hearings**

**Aerial**

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**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](http://www.houstontx.gov)

May 6, 2020

Dear Property Owner:

Reference Number: 2020-0560; "Oak Forest of La Sierra partial replat no 1"; partial replatting of "Oak Forest of La Sierra". This proposal includes the replatting of all of Lots 6, 7 and 8, in Block 5, as recorded at Film Code No. 671025 of the Harris County Map Records.

The property is located at the southwest intersection of Diegui Place (PVT) and Tocayo Place (PVT), south of Tidwell Road and west of Rosslyn Road. The purpose of the replat is to create four (4) single-family residential lots. The applicant, Uriel Figueroa, with PLS Construction Layout, Inc, on behalf of Contempo Builders, can be contacted at 713-480-4075.

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 blockface 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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2. **Telephone:** You may call the Planning Department at: 832-393-6624 and a staff member will take your comments and this will also be read into the record and made part of the meeting record.

You may also contact staff with the Planning and Development Department regarding this notice via email at [planning.publichearing@houstontx.gov](mailto:planning.publichearing@houstontx.gov) or call (832)393-6600.

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

***Terminology***

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- **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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# Houston Planning Commission      ITEM: 101

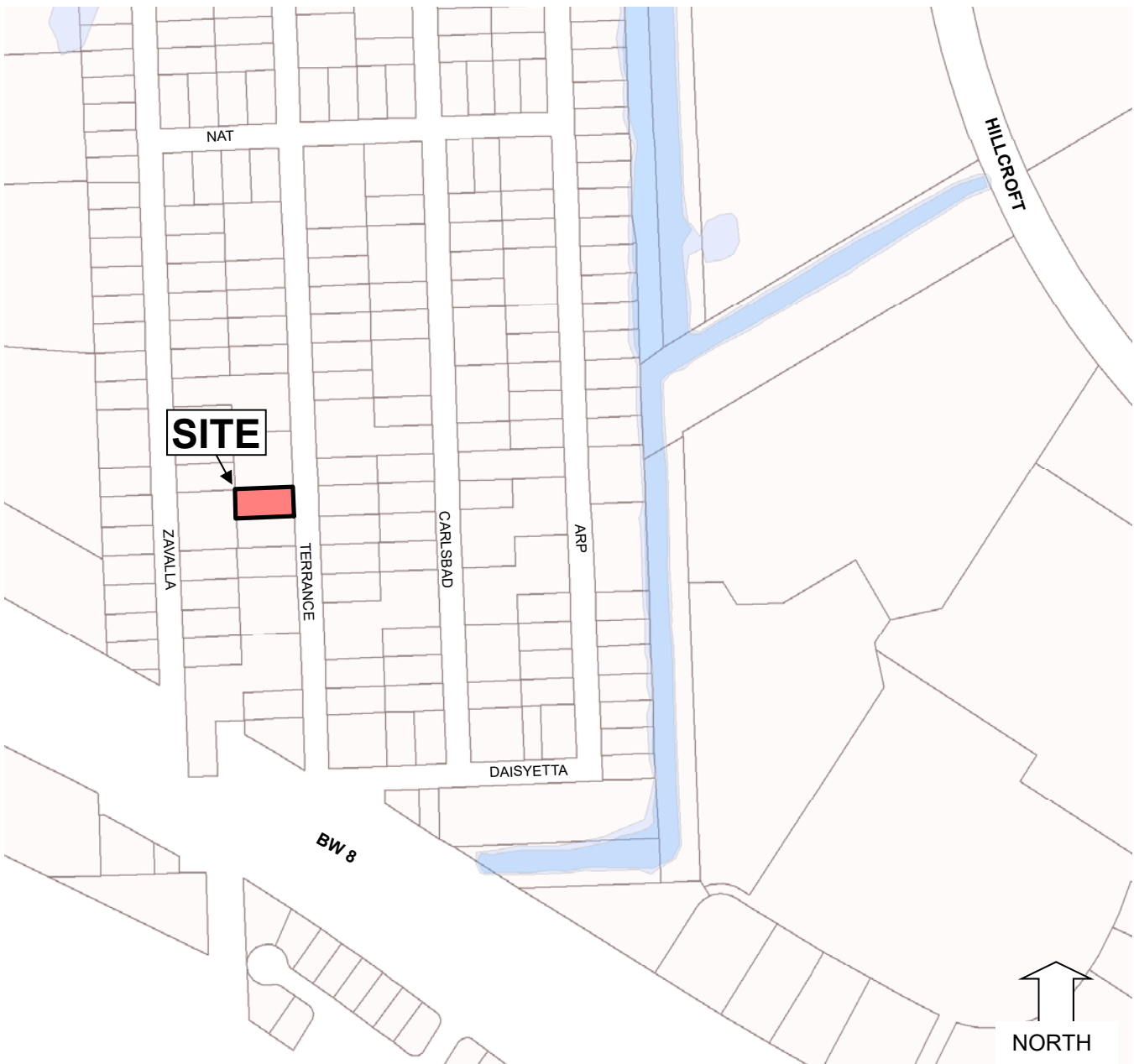
Planning and Development Department

Meeting Date: 05/28/2020

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**Subdivision Name: South Main Estates Sec 2 partial replat no 1**

**Applicant: Bowden Land Services & Consulting**



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**C – Public Hearings**

**Site Location**

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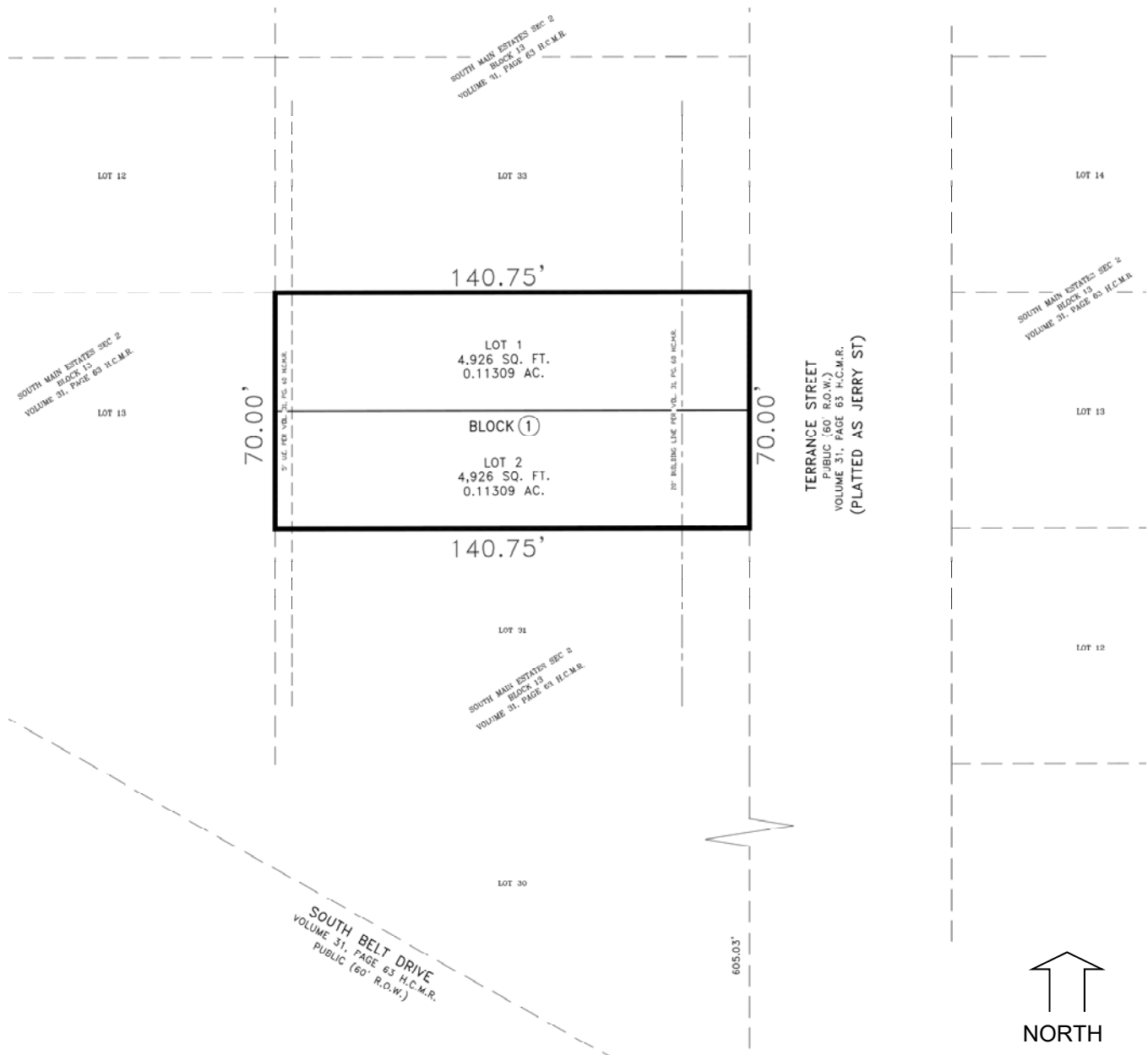
# Houston Planning Commission      ITEM: 101

## Planning and Development Department

**Meeting Date: 05/28/2020**

**Subdivision Name: South Main Estates Sec 2 partial replat no 1**

**Applicant: Bowden Land Services & Consulting**



## C – Public Hearings

## Subdivision



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# Houston Planning Commission

## ITEM: 101

Planning and Development Department

Meeting Date: 05/28/2020

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Subdivision Name: South Main Estates Sec 2 partial replat no 1

Applicant: Bowden Land Services & Consulting



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**C – Public Hearings**

**Aerial**

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**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](http://www.houstontx.gov)

May 1, 2020

Dear Property Owner:

**Reference Number: 2020-0364; South Main Estates Sec 2 partial replat no 1;** replatting of all of Lot 32, Block 13 of **"South Main Estates Sec 2"** as recorded in Volume 31, Page 60 of the Harris County Map Records.

The property is located west along Terrance Street, north of Southwest Beltway 8 and west of Hillcroft Avenue. The purpose of the replat is to create two (2) single-family lots. The applicant, Nichole Bowden, with Bowden Land Services & Consulting, can be contacted at 832-540-8843.

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 blockface 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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# Houston Planning Commission **ITEM: 102**

Planning and Development Department

Meeting Date: 05/28/2020

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**Subdivision Name: Spring Oaks replat no 1 partial replat no 4**

**Applicant: McHugh Homes**



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**C – Public Hearings**

**Site Location**

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# Houston Planning Commission ITEM: 102

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Spring Oaks replat no 1 partial replat no 4

Applicant: McHugh Homes



C – Public Hearings

Subdivision



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# Houston Planning Commission      ITEM: 102

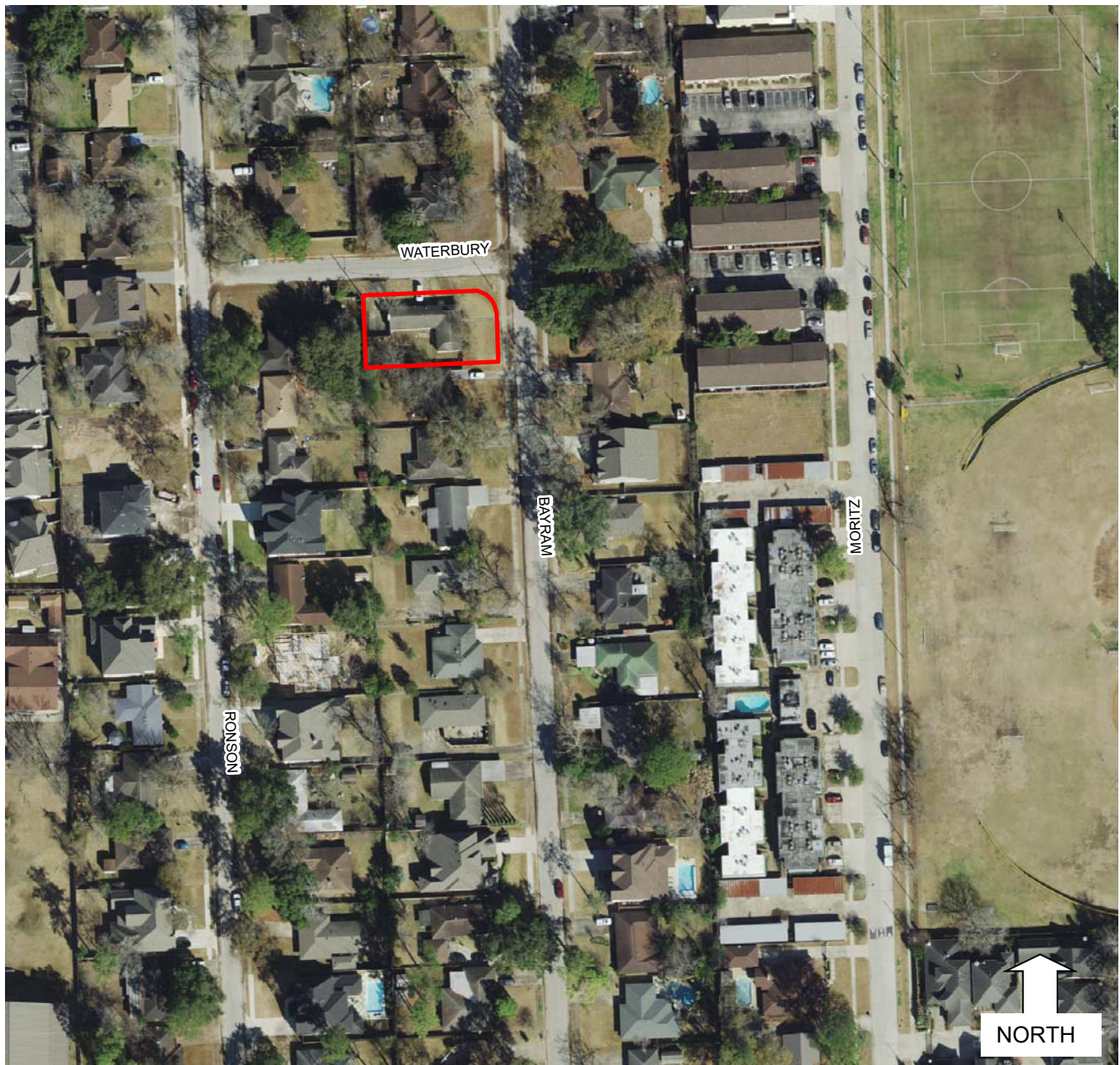
Planning and Development Department

Meeting Date: 05/28/2020

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Subdivision Name: Spring Oaks replat no 1 partial replat no 4

Applicant: McHugh Homes



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**C – Public Hearings**

**Aerial**

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**CITY OF HOUSTON**  
Planning and Development

**Sylvester Turner**  
Mayor

**Public Hearing Notice**



Margaret Wallace Brown  
Director  
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Houston, Texas 77251-1562

T. 832.393.6600  
F. 832.393.6661  
[www.houstontx.gov](http://www.houstontx.gov)

May 1, 2020

Dear Property Owner:

Reference Number: 2020-0320; "Spring Oaks replat no 1 partial replat no 4"; partial replatting of "Replat of Spring Oaks". This proposal includes the replatting of all of Lot 111, in Block 5, as recorded in Volume 40, Page 47 of the Harris County Map Records.

The property is located at the southwest intersection of Waterbury Drive and Bayram Drive. The purpose of the replat is to create one single-family residential lot and to revise the front and side building lines. The applicant, Paul McHugh, with McHugh Homes, be contacted at 713-319-7164

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 blockface 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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# Houston Planning Commission

## ITEM: 103

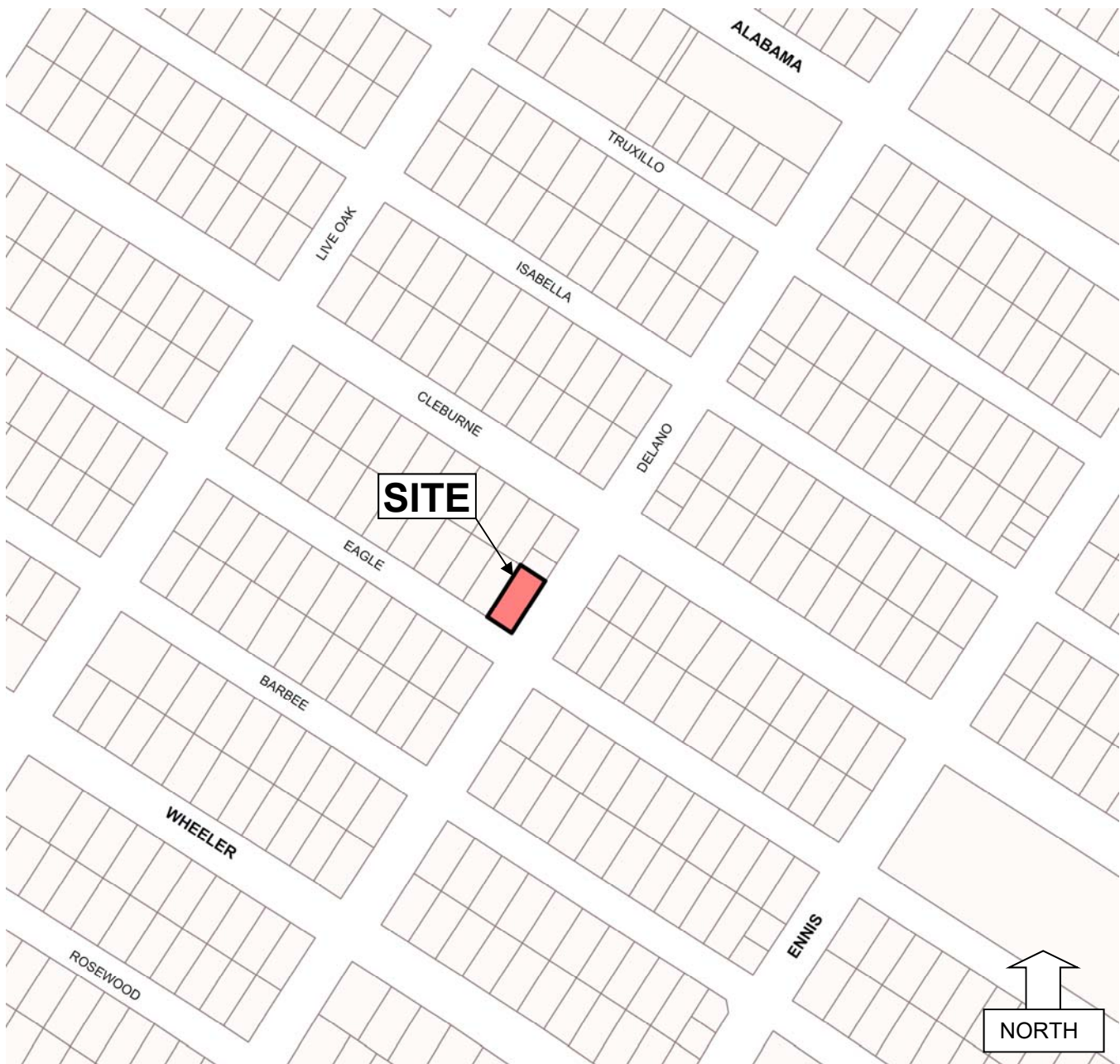
Planning and Development Department

Meeting Date: 05/28/2020

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**Subdivision Name: Washington Terrace partial replat no 5**

**Applicant: Noble Real Estate Services**



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**C – Public Hearings with Variance      Site Location**

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# Houston Planning Commission

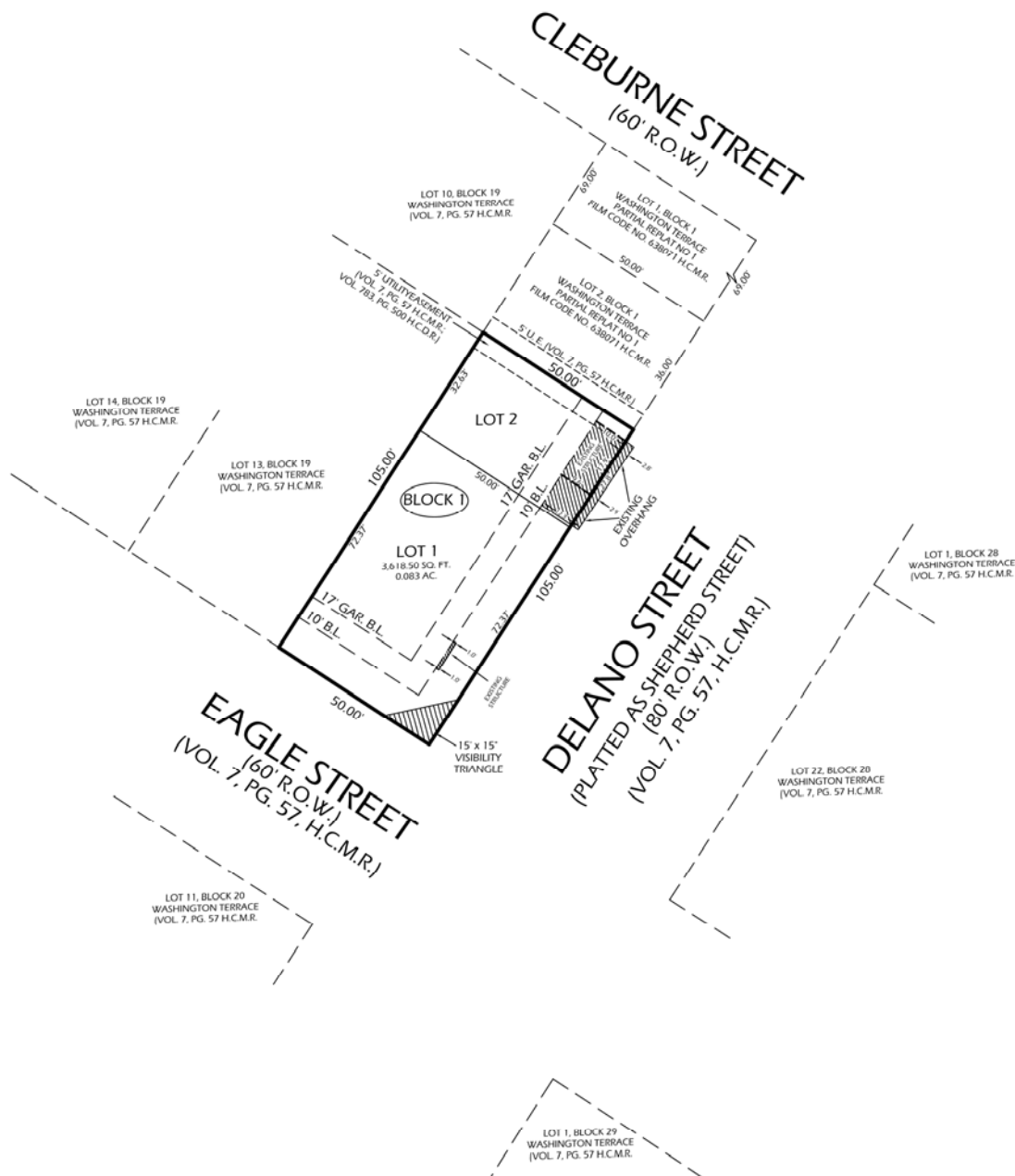
## ITEM: 103

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Washington Terrace partial replat no 5

Applicant: Noble Real Estate Services



C – Public Hearings with Variance

Subdivision



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# Houston Planning Commission **ITEM: 103**

Planning and Development Department

Meeting Date: 05/28/2020

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Subdivision Name: Washington Terrace partial replat no 5

Applicant: Noble Real Estate Services



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**C – Public Hearings with Variance**

**Aerial**

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ADDRESS :4114 DELANO STREET  
HOUSTON, TEXAS 77004

CLIENT :PATRICIA NOBLE

BUYER :N/A

LENDER :N/A

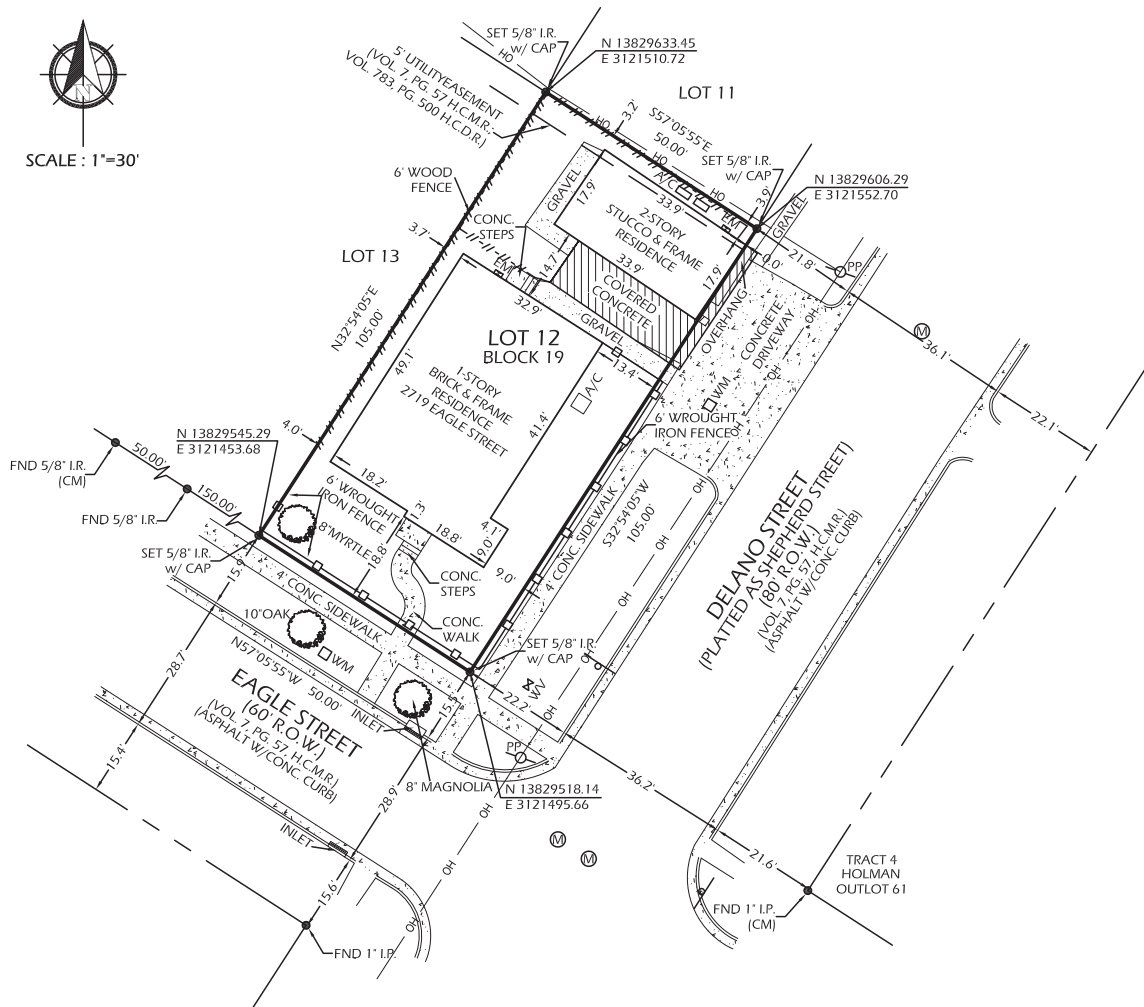
## A EXISTING CONDITIONS SURVEY OF

LOT 12, IN BLOCK 19 OF WASHINGTON TERRACE, A SUBDIVISION IN HARRIS COUNTY, TEXAS, ACCORDING TO THE PLAT OR MAP THEREOF RECORDED IN VOLUME 7, PAGE 57, OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS.

(BEARINGS BASED ON GPS OBSERVATIONS)



SCALE : 1"=30'



### NOTES:

1. SURVEYOR HAS NOT ABSTRACTED PROPERTY. SURVEY IS BASED ON LEGAL DESCRIPTIONS SUPPLIED BY TITLE COMPANY. EASEMENTS, BUILDING LINES, ETC., SHOWN HEREON ARE AS IDENTIFIED BY GF. NO. TR08039891 OF OLD REPUBLIC NATIONAL TITLE INSURANCE CO.
2. NOTHING IN THIS SURVEY IS INTENDED TO EXPRESS AN OPINION REGARDING OWNERSHIP OR TITLE.
3. THE WORD CERTIFY IS UNDERSTOOD TO BE AN EXPRESSION OF PROFESSIONAL JUDGMENT BY THE SURVEYOR, WHICH IS BASED ON HIS BEST KNOWLEDGE, INFORMATION AND BELIEF.
4. SURVEY IS CERTIFIED FOR THIS TRANSACTION ONLY; IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
5. THIS SURVEY IS BEING PROVIDED SOLELY FOR THE USE OF THE CURRENT PARTIES AND NO LICENSE HAS BEEN CREATED, EXPRESSED OR IMPLIED, TO COPY THE SURVEY EXCEPT AS IS NECESSARY IN CONJUNCTION WITH THE ORIGINAL TRANSACTION.
6. THE COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON NAD83 HORIZONTAL DATUM PROJECTION ZONE TEXAS SOUTH CENTRAL 4204 AND CAN BE CONVERTED TO SURFACE BY APPLYING THE COMBINE SCALE FACTOR OF 0.0000.
7. THERE ARE NO FIRE HYDRANTS ON THE TRACT OR IN THE RIGHT OF WAY WITHIN 10 FEET OF THE TRACT.

### SITE SUBJECT TO:

1. RESTRICTIVE COVENANTS AS PER RECORDED PLAT AND PER VOL. 7, PG. 57, H.C.M.R. AND VOL. 783, PG. 500, H.C.D.R.
2. AN EASEMENT 5 FEET IN WIDTH ALONG THE REAR PROPERTY LINE AS PER VOL. 7, PG. 57, H.C.M.R.
3. AN EASEMENT 5 FEET IN WIDTH ALONG THE REAR PROPERTY LINE FOR CONSTRUCTING AND MAINTAINING SEWER, TELEPHONE, ELECTRIC LIGHT AND GAS SERVICES AS PER VOL. 783, PG. 500, H.C.D.R.

DATE: 01-28-2020

REVISION:

DRAWN BY: LF

APPROVED BY: DWG

PROJECT NO: GL-1574C

### LEGEND:

H.C.M.R. - HARRIS COUNTY MAP RECORD  
H.C.D.R. - HARRIS COUNTY DEED RECORD  
H.C.C.F. - HARRIS COUNTY CLERK FILE  
R.O.W. - RIGHT OF WAY  
CM - CONTROL MONUMENT  
I.R./I.P. - IRON ROD/IRON PIPE

DANIEL W. GOODALE, R.P.L.S. NO. 4919

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT IT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY. THERE WERE NO ENCROACHMENTS APPARENT ON THE GROUND EXCEPT AS SHOWN HEREON.



### FLOOD INFORMATION

PROPERTY IS NOT IN THE 100 YEAR FLOOD ZONE. THIS PROPERTY LIES IN ZONE "X" ACCORDING TO F.I.R.M. MAP NO. 48201C0880M DATED 01-06-2007.

BY GRAPHIC PLOTTING ONLY, WE DO NOT ASSUME RESPONSIBILITY FOR EXACT DETERMINATION. BEFORE ANY DEVELOPMENT PLANNING, DESIGN, OR CONSTRUCTION IS STARTED, THE COMMUNITY, CITY AND COUNTY IN WHICH SUBJECT TRACT EXISTS SHOULD BE CONTACTED. SAID ENTITIES MAY IMPOSE LARGER FLOOD PLAIN AND FLOODWAY AREAS THAN SHOWN BY F.I.R.M. MAPS THAT WILL AFFECT DEVELOPMENT.

GREENLEAF LAND SURVEYS, LLC  
10900 NORTHWEST FWY  
SUITE # 129  
HOUSTON, TEXAS 77092



DIR: 832-668-5003 FAX: 832-553-7210  
FIRM # 10193977  
orders@gillsurveys.com  
www.greenleafandsurveys.com



**Application Number:** 2020-0391

**Plat Name:** Washington Terrace partial replat no 5

**Applicant:** Noble Real Estate Services

**Date Submitted:** 03/06/2020

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 dual building line for the life of the structure along Delano Street for the existing structure that sits on proposed lot 2.

**Chapter 42 Section:** 42-156(b)(c)

**Chapter 42 Reference:**

Single-family residential 10 feet, if the lot meets the standards of section 42-156(b) or section 42-157(b) Notwithstanding the other provisions of this section, the building line requirement for a lot restricted to single-family residential use shall be 20 feet for a garage or carport facing the street, except as provided in subsection (b) of section 42-157 of this Code. (1) Foster a design framework applicable to the city; and (2) Assure that pedestrian use of sidewalks is not impeded by vehicles blocking the sidewalks. (b) The building line requirement for a subdivision or development in the city restricted to single-family residential use adjacent to a collector street or a local street that is not an alley shall be: (1) Ten feet for the principal structure; and (2) Notwithstanding the other provisions of this section, 17 feet for a garage or carport facing the street. A building above the garage or carport may overhang the building line up to seven 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**

Since I cannot move the building back and removing the roof is unreasonable/unfeasible; I am asking for a variance so that I can move forward with separating the two residences into their own lot/block. In the past I tried to sell the parcel with the two residences, but since there are no comparable available to be appraised, I was unable to do so.

**(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;**

Since the building was originally placed in its current location as a garage when the adjacent house was built in 1930, it seems unfair to require the current owner to make modifications to bring it in line with today's regulations. I can't move the building and rebuilding the roof/roof line would be an unreasonable request and (would be too costly and create a financial hardship (burden).

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

The circumstances resulting in a need for requesting a variance is not a hardship that was created by the Owner. When the owner purchased the house out of foreclosure in December 2010 the building in question was about ready to be torn down and the encroachment existed along Delano Street for now proposed lot 2. The Owner renovated the house but did not expand the footprint. The Owner remodeled the home for her daughter could live in the house. The roof or the roof line was not changed.

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

There are no further renovations required/changes planned for the property. What is there now is what will stay. No plans to tear it down or rebuild.

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

Granting the variance would affect anything to do with the public. Pedestrians can still move/walk in the area as the roof overhanging does not affect them in any way.

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

By allowing the variance, the Owner will get to move forward with my plan to split the two residences apart. By splitting them apart they will appreciate on their own and carry more value - more value means more tax revenue for the city. Already by adding a separate water meter, the property is taxed twice for drainage.



**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](http://www.houstontx.gov)

May 11, 2020

Dear Property Owner:

Reference Number: 2020-0391; **"Washington Terrace partial replat no 5"**; partial replatting of **" Washington Terrace"**. This proposal includes the replatting of all of Lot 12, in Block 19, as recorded in Volume 7, Page 57 of the Harris County Map Records.

The property is located at the northwest intersection of Eagle Street and Delano Street north of Wheeler Street east of Emancipation Avenue. The purpose of the replat is to create two (2) single-family residential lots. The applicant, Patricia Noble, with Noble Real Estate Services, on behalf of Noble Real Estate Services, can be contacted at 281-782-3723.

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 blockface 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.

**Attach you will find a copy of the variance(s) being requested by the application. Additionally, a sign has been posted on the site including the public hearing date, location and time.**

Due to the COVID 19 emergency, and the Mayor's directives on social distancing and limits on public gatherings, the Planning Commission has switched its meetings to an electronic virtual meeting format. Thus, this item is scheduled for public hearing and consideration at a

**Virtual Planning Commission Meeting**

**Thursday, May 28, 2020 at 2:30 PM**

The Planning Commission will hold its next meeting through a video conference via Microsoft Teams. The video conference will allow for a two-way video/ audio communication with Houston Planning Commission. To join the meeting, visit our website: [www.houstonplanning.com](http://www.houstonplanning.com)

You will find a link to participate in the meeting and you may also submit comments or sign up as speakers in the following ways:

1. Send email to: [Speakercomments.pc@houstontx.gov](mailto:Speakercomments.pc@houstontx.gov)

Please submit written comments or sign up as speakers at least 24 hours in advance of the meeting, so staff may compile them in order of the agenda items. These will be read into the record but may be summarized by staff if they are especially lengthy or duplicative of other comments. ALL comments submitted will be made part of the meeting record. Speakers who signed up to be speak will be allowed to make their comments during the meeting.

2. **Telephone:** You may call the Planning Department at: 832-393-6624 and a staff member will take your comments and this will also be read into the record and made part of the meeting record.

Council Members: Amy Peck Jerry Davis Abbie Kamin Carolyn Evans-Shabazz Dave Martin Tiffany Thomas Greg Travis Karla Cisneros  
Robert Gallegos Edward Pollard Martha Castex-Tatum Mike Knox David W. Robinson Michael Kubosh Letitia Plummer Sallie Alcorn  
Controller: Chris B. Brown



You may also contact staff with the Planning and Development Department regarding this notice via email at [planning.publichearing@houstontx.gov](mailto:planning.publichearing@houstontx.gov) or call (832)393-6600.

212.015 (c) If the proposed replat requires a variance and is protested in accordance with this subsection, the proposed replat must receive, in order to be approved, the affirmative vote of at least three-fourths of the members present of the municipal planning commission or governing body, or both. For a legal protest, written instruments signed by the owners of at least 20 percent of the area of lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, but within the original subdivision, must be filed with the municipal planning commission or governing body, or both, prior to the close of the public hearing.

**NOTE: YOU MUST LIVE OR OWN PROPERTY IN THE PROTEST AREA TO QUALIFY FOR THREE-FOURTHS AFFIRMATIVE VOTE OF PLANNING COMMISSION. 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.**

### ***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.

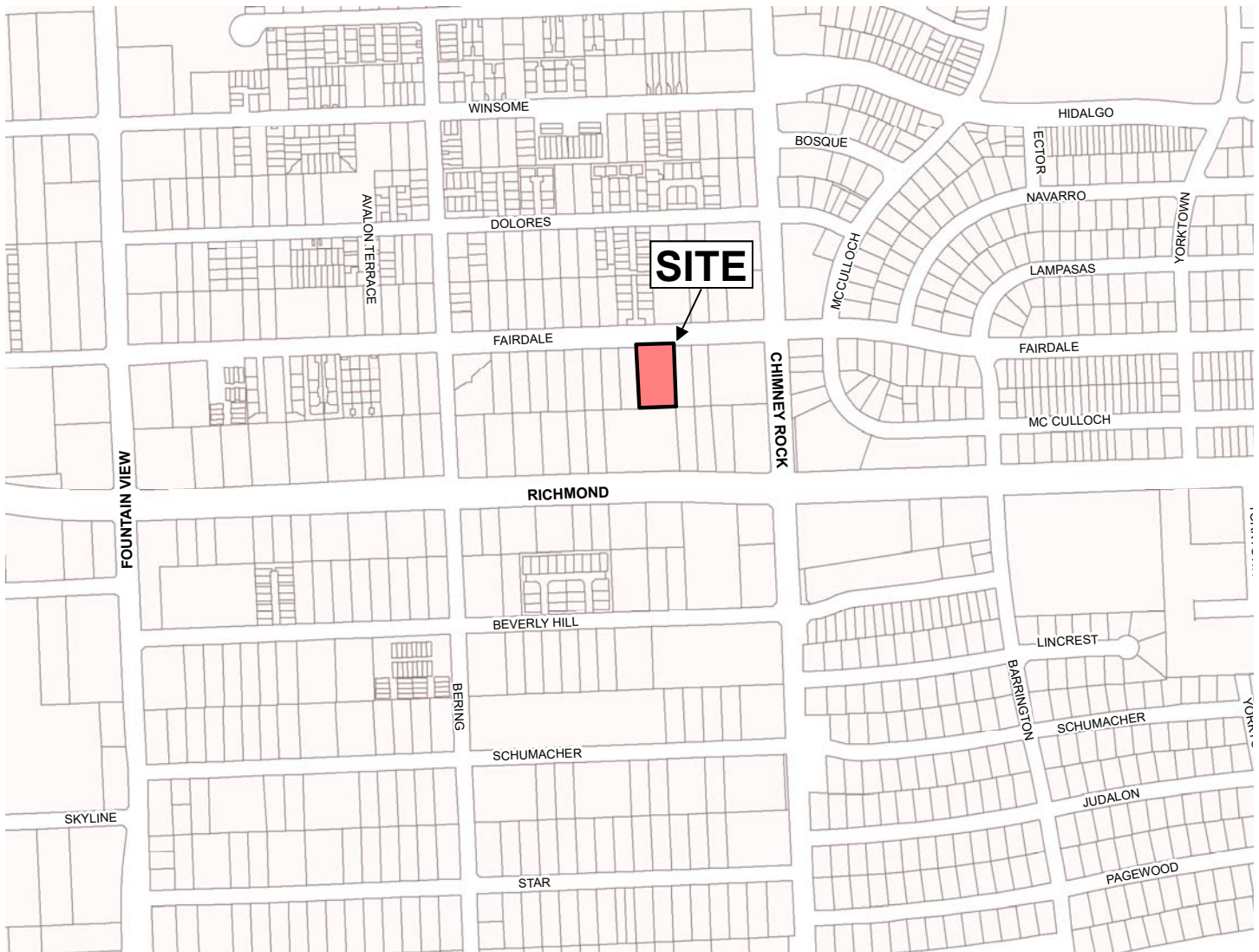
# Houston Planning Commission **ITEM: 104**

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Westheimer Gardens partial replat no 4 (DEF 1)

Applicant: Pioneer Engineering, LLC



**C – Public Hearings**

**Site Location**

# Houston Planning Commission

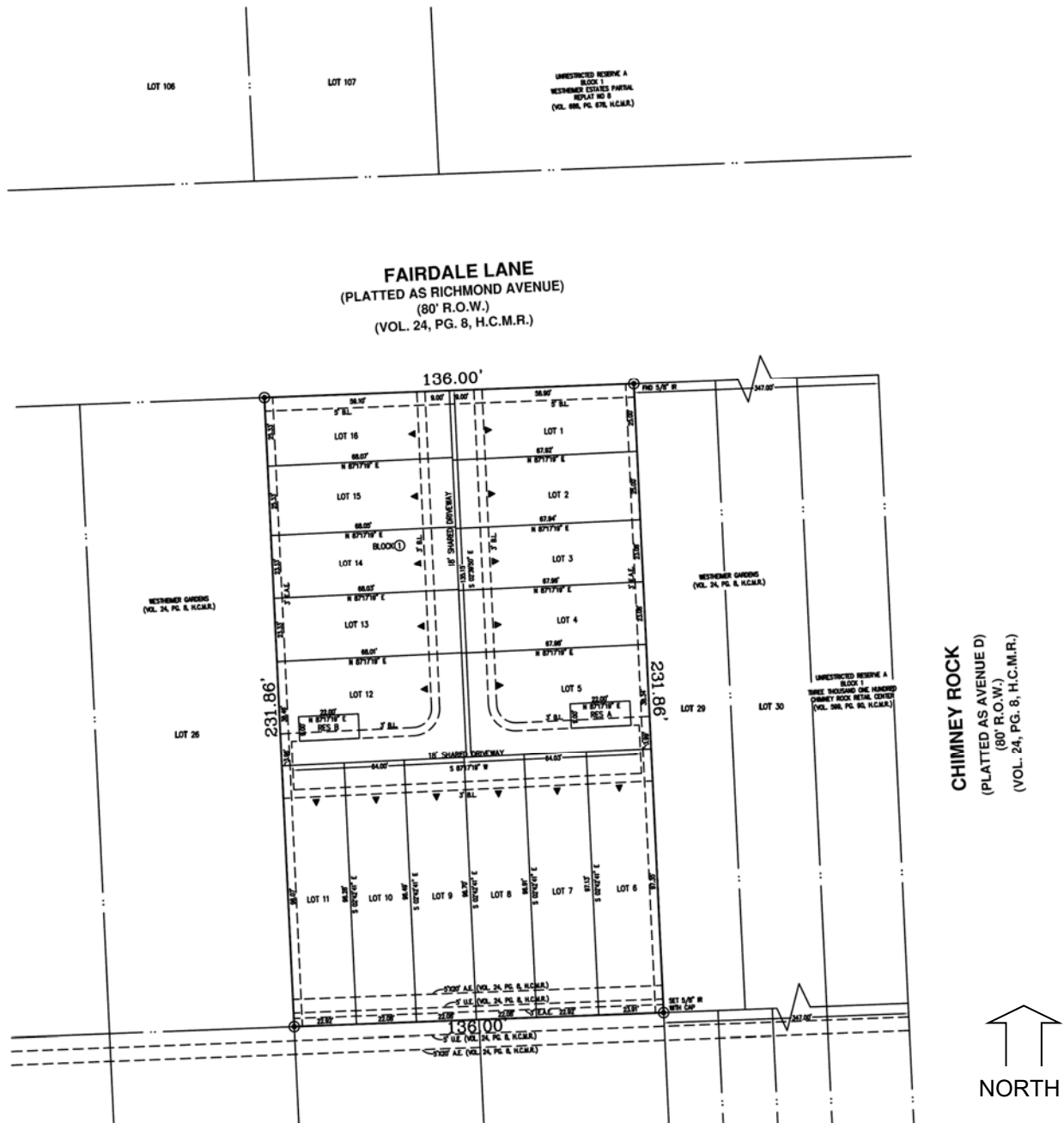
## ITEM: 104

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Westheimer Gardens partial replat no 4 (DEF 1)

Applicant: Pioneer Engineering, LLC



C – Public Hearings

Subdivision



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# Houston Planning Commission **ITEM: 104**

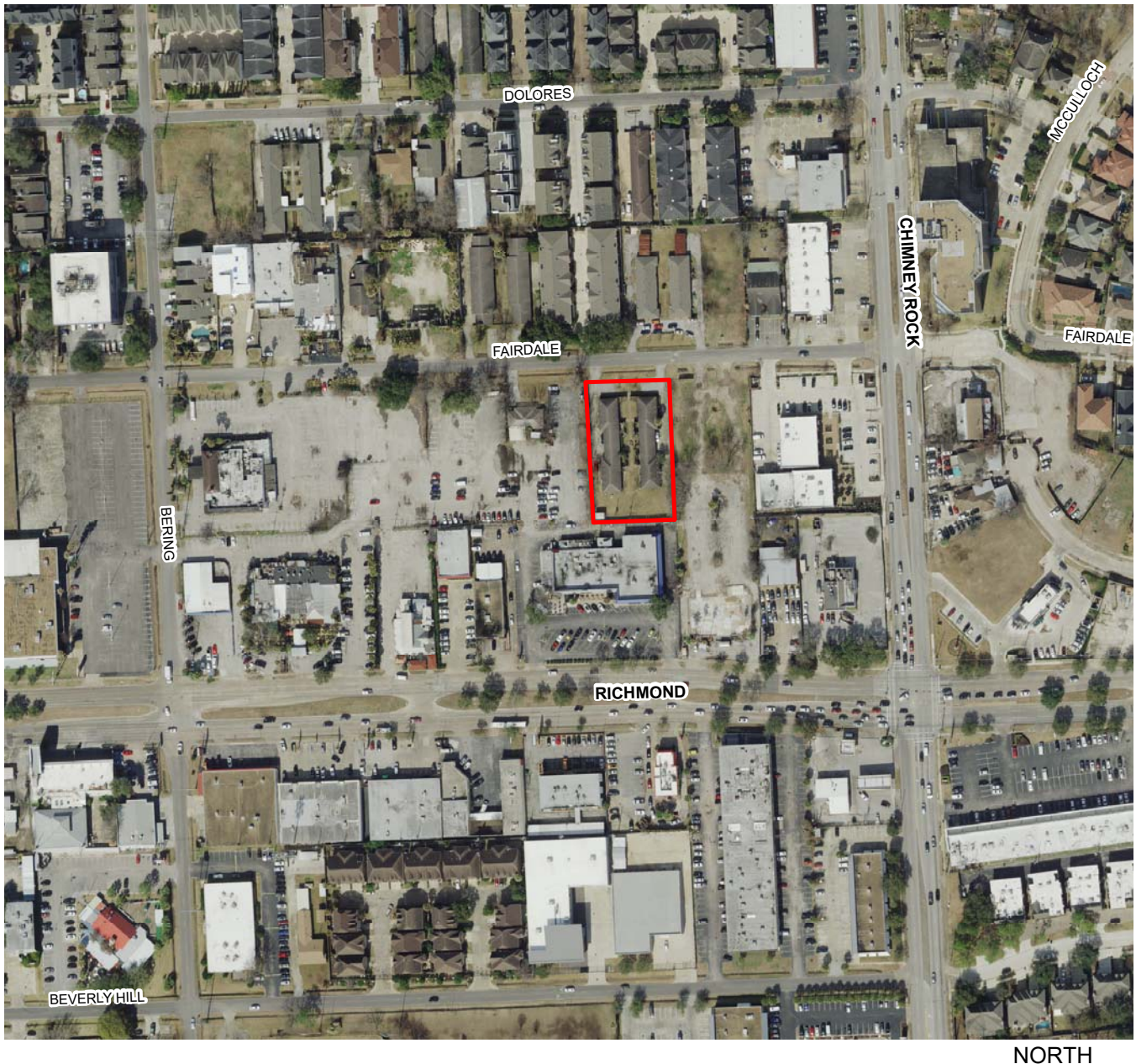
Planning and Development Department

Meeting Date: 05/28/2020

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Subdivision Name: Westheimer Gardens partial replat no 4 (DEF 1)

Applicant: Pioneer Engineering, LLC



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**C – Public Hearings**

**Aerial**

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**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](http://www.houstontx.gov)

April 22, 2020

Dear Property Owner:

Reference Number: 2020-0405; "Westheimer Gardens partial replat no 4"; partial replatting of "Westheimer Gardens". This proposal includes the replatting of all of Lots 27 and 28, as recorded in Volume 24, Page 8 of the Harris County Map Records.

The property is located along and south of Fairdale Lane between Bering Drive and Chimney Rock Road. The purpose of the replat is to create sixteen (16) single-family residential lots and two (2) guest parking reserves. The applicant, Ruby Nunez, with Pioneer Engineering, LLC, on behalf of Southgate Brothers, LLC, can be contacted at 832-307-0010 Ext 101.

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 blockface 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.

Due to the COVID 19 emergency, and the Mayor's directives on social distancing and limits on public gatherings, the Planning Commission has switched its meetings to an electronic virtual meeting format. Thus, this item is scheduled for public hearing and consideration at a

**Virtual Planning Commission Meeting**

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For additional information, you may also contact staff with the Planning and Development Department regarding this notice via email at [planning.publichearing@houstontx.gov](mailto:planning.publichearing@houstontx.gov) or call (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 MONDAY 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.**

***Terminology***

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# Houston Planning Commission

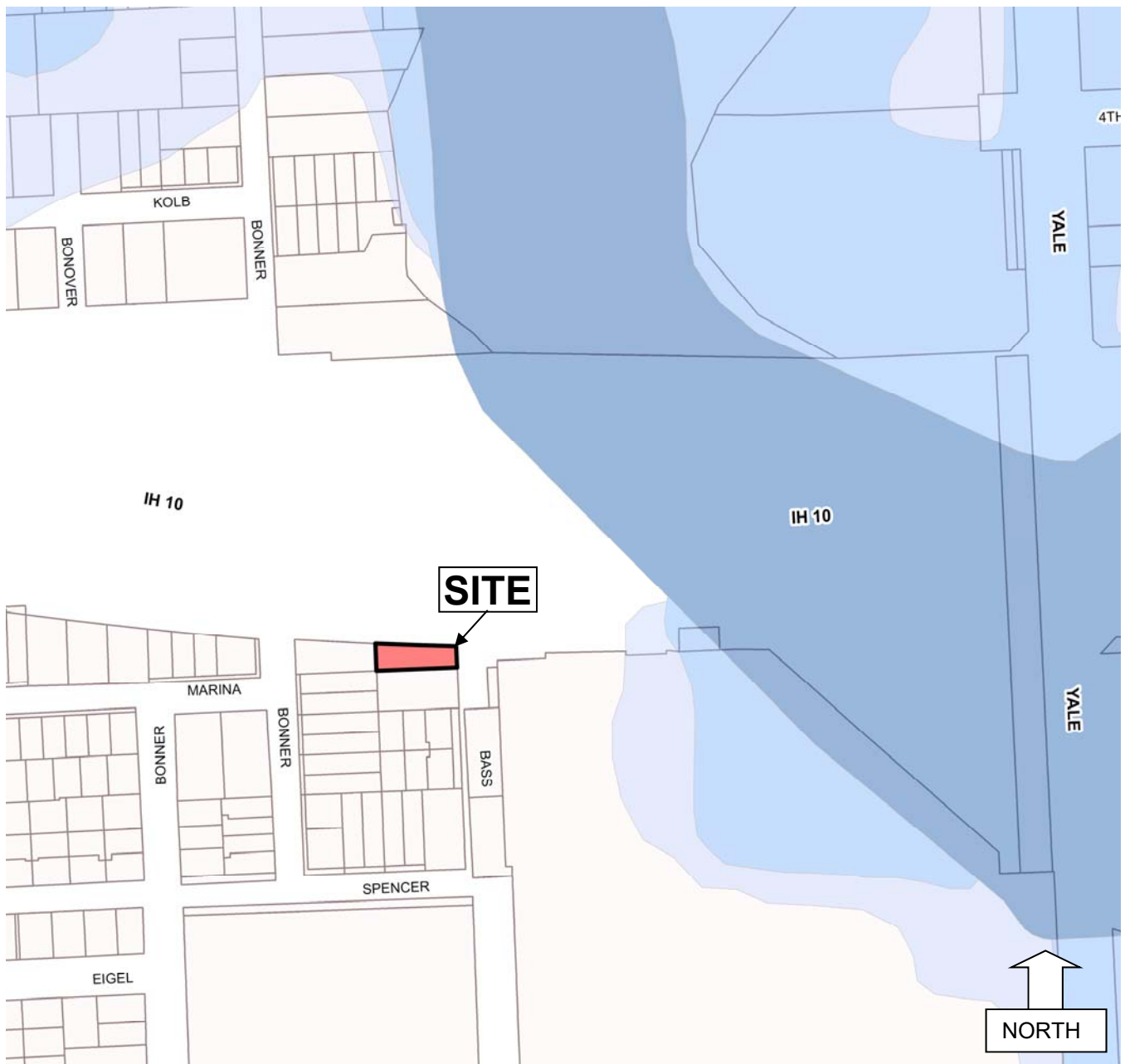
**ITEM: 105**

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Bass Enclave (DEF 2)

Applicant: CE Engineers & Development Consultants, Inc



**D – Variances**

**Site Location**

# Houston Planning Commission

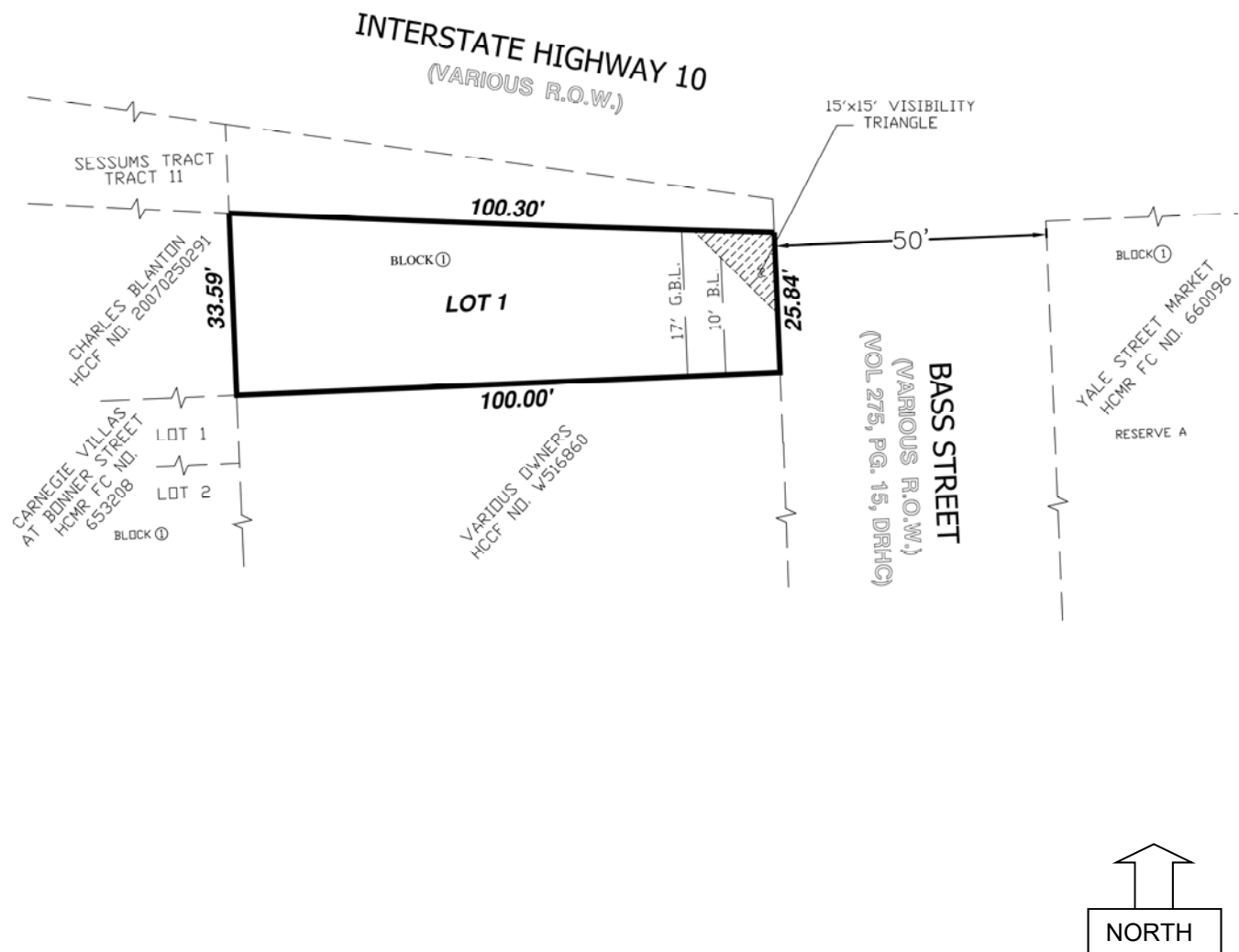
## ITEM: 105

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Bass Enclave (DEF 2)

Applicant: CE Engineers & Development Consultants, Inc



D – Variances

Subdivision



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# Houston Planning Commission

## ITEM: 105

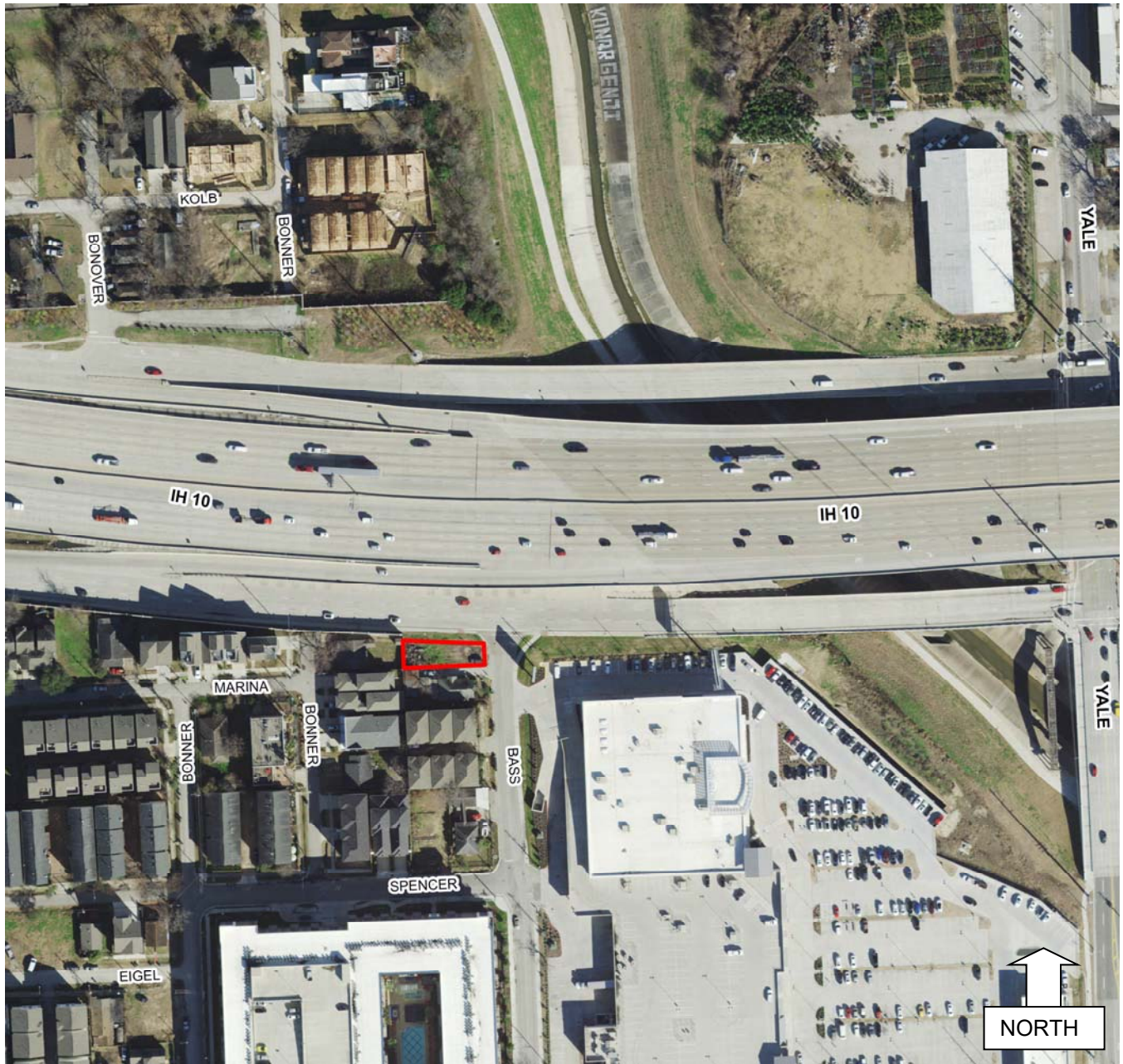
Planning and Development Department

Meeting Date: 05/28/2020

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Subdivision Name: Bass Enclave (DEF 2)

Applicant: CE Engineers & Development Consultants, Inc



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**D – Variances**

**Aerial**

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NOTES:  
1. CITY OF HOUSTON COMMENTS  
DATE: 3/25/2020  
REVISIONS

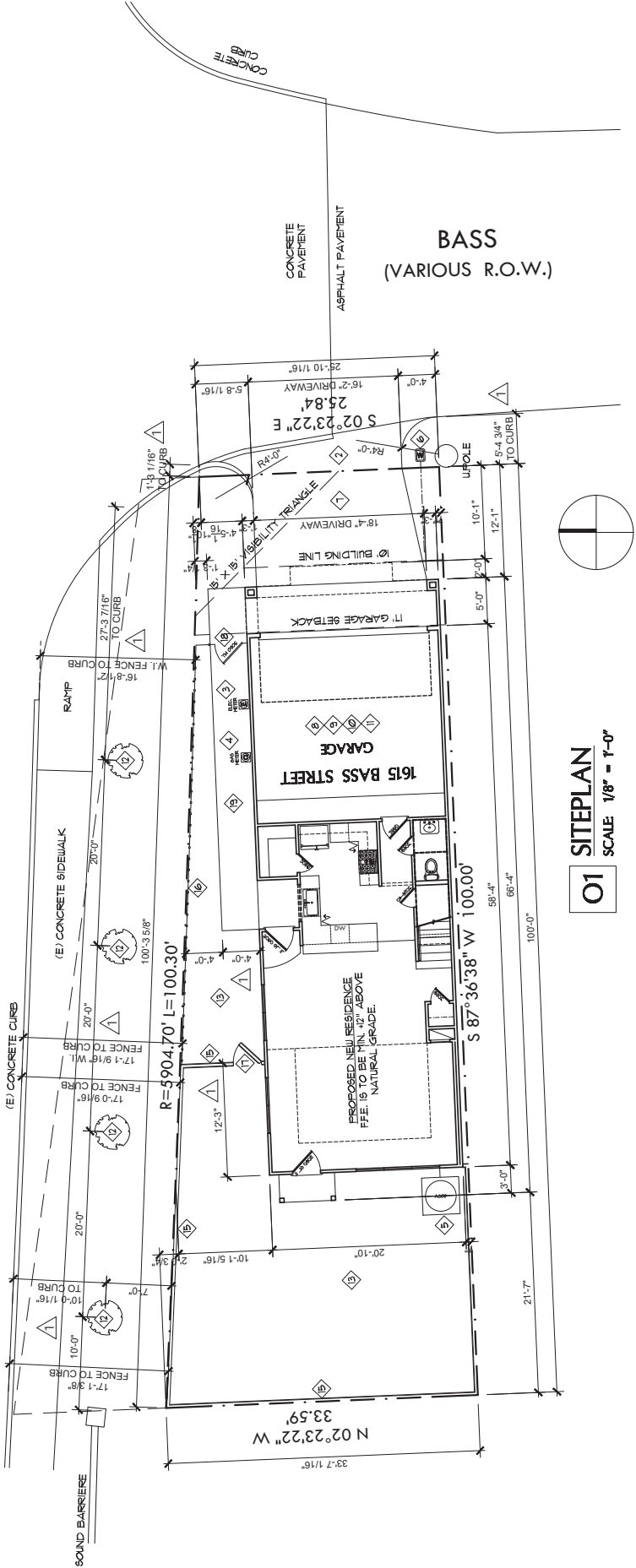
REVISIONS

By signing this document, the undersigned hereby certifies that the information provided herein is true and correct to the best of their knowledge and belief, and that the information provided herein is not intended to be used for any other purpose than the one for which it was prepared. The undersigned further certifies that the information provided herein is not intended to be used for any other purpose than the one for which it was prepared. The undersigned further certifies that the information provided herein is not intended to be used for any other purpose than the one for which it was prepared.

© 2020  
Barefoot Concept  
Haven

SERVICE ROAD HIGHWAY I-10 EAST  
(VARIOUS R.O.W.)

CONCRETE PAVEMENT



SITE PLAN KEY NOTES:

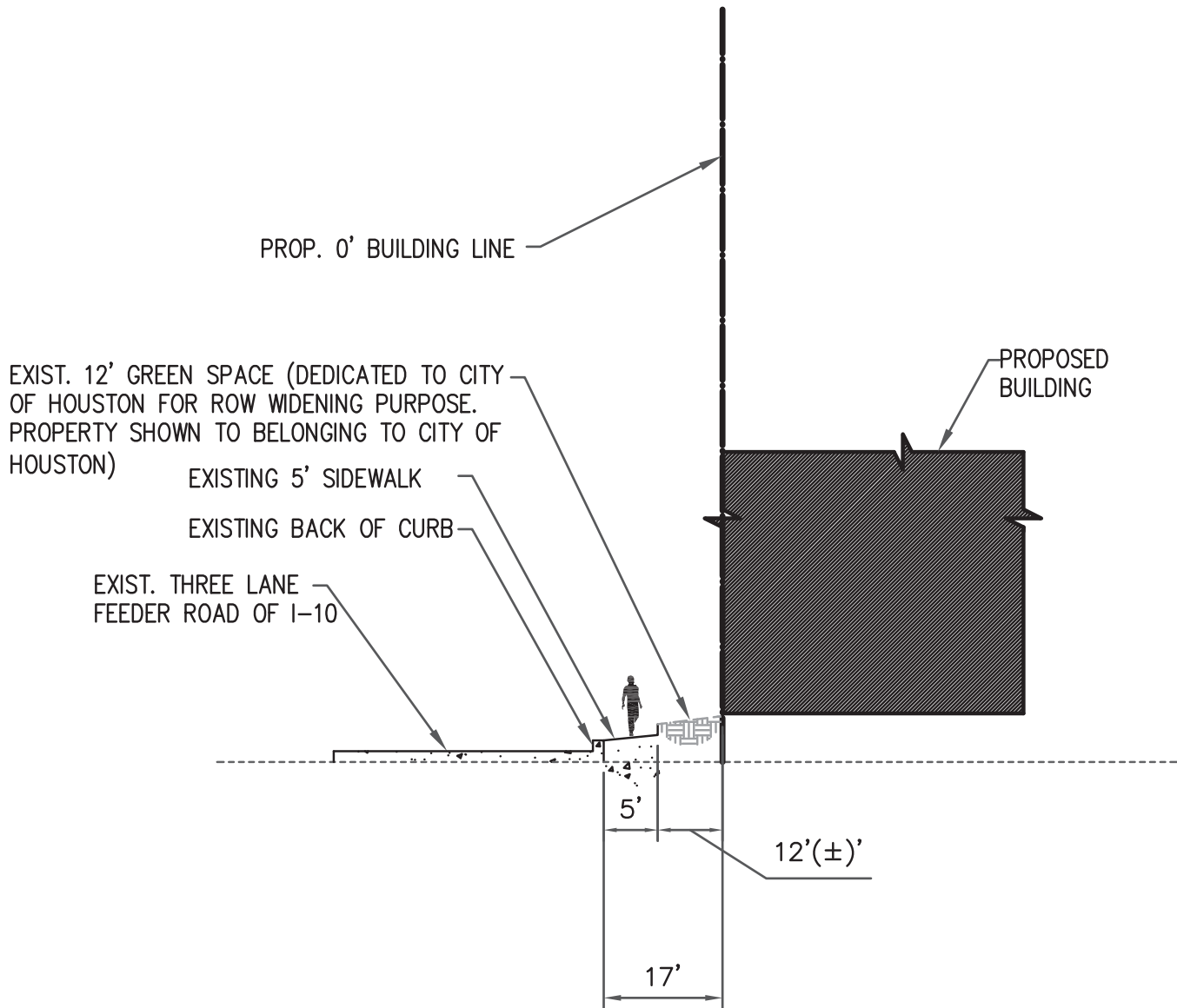
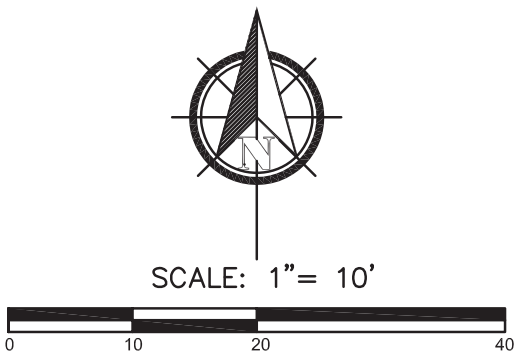
- ALL CONSTRUCTION SHALL COMPLY WITH 2012 INTERNATIONAL RESIDENTIAL CODE AND CITY OF HOUSTON AMENDMENTS.
- CONCRETE DRIVE APPROACH PER ATTACHED CITY DETAILS.
- ELECTRICAL INLET LOCATION CONTRACTOR TO INSTALL 4 CONNECT TO ELECTRICAL METER BANK.
- GAS INLET LOCATION CONTRACTOR TO INSTALL 4 CONNECT TO GAS METER BANK.
- AIR CONDITIONER CONDENSER UNIT. PROVIDE CONCRETE PAD.
- WATER METER PLUMBER TO DETERMINE LOCATION OF WATER METER 4' RE. TO HVAC PLAN FOR CORRECT PLACEMENT.
- WATER METER PLUMBER TO DETERMINE LOCATION OF WATER METER 4' RE. TO CONTACT THE LOCAL AUTHORITY TO CONNECT. WATER PIPE AND METER SIZE TO CONFORM WITH 1934 U.P.C. PIPING TO BE SCH. 40 P.V.C. (OR EQ.) SEE PLAN FOR SIZES.
- PROVIDE NEW 6" THICK CONCRETE PAVEMENT 3,000 PSI WITH #4 REBAR 20" EA. WAY AND EXPANSION JOINTS SPACED AT 20' MAX.
- FINISHED FLOOR ELEVATION SHALL BE A MINIMUM OF 12" ABOVE THE TOP OF THE NEAREST SANITARY SELLER MANHOLE COVER. QUALIFIED ENGINEER TO DETERMINE FINAL SLAB ELEVATION AND PROVIDE A SITE GRADING PLAN OR PER LOCAL AUTHORITY.
- BUILDER TO APPROVE LOCATION OF HOUSE ON LOT, AND TO VERIFY ALL UTILITY LOCATIONS. ALL EASEMENTS, BUILDING, BLOCK FACE AND SETBACK LINES PRIOR TO CONSTRUCTION.
- PLUMBER TO CONNECT INTO EXISTING SANITARY SELLER. PIPING TO BE SCH. 40 P.V.C. (OR EQ.) SEE PLAN FOR SIZES.
- ELECTRICIAN TO RUN THREE UNDERGROUND CONDUITS FROM SOURCE POLE OR TRANSFORMER TO GARAGE FOR:
  - ELECTRIC SERVICE
  - TELEPHONE SERVICE
  - CABLE SERVICE
- IF AN EXISTING TREE DOES NOT EXIST, PROVIDE A MINIMUM OF ONE 13" DIA. NEW LIVE OAK TREE PER 5,000 SQ. FT. LOT.
- ALL DRAINAGE AND RUNOFF SHALL BE COLLECTED ON SITE IN AN UNDERGROUND SYSTEM OR DIRECTED ON THE SURFACE TO THE STREET. ALL UNDERGROUND SYSTEMS TO BE DETERMINED BY A CIVIL ENGINEER. ALL DRAINAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE ADJACENT PROPERTIES DRAIN PIPING TO BE SCH. 40 P.V.C. (OR EQ.) WHEN AREA DRAINS, CONNECT DOWNSPOUTS INTO DRAINAGE SYSTEM. PROVIDE A STORM SELLER JUNCTION BOX W/ A GRATE TOP PER COH DETAIL 102081-06.
- PROVIDE CUTOFF VALVE ON WATER LINE FROM CITY METER.
- NEW 8'-0" HI. TREATED WOOD PRIVACY FENCE.
- NEW 8'-0" HI. BRICK WALL FENCE.
- NEW GATE AT WD. FENCE. REFER TO SITEPLAN FOR DIMS.
- NEW GATE AT WROUGHT IRON FENCE. REFER TO SITEPLAN FOR DIMS.
- NEW CRUSHED GRANITE 4" WIDE PRIVATE WALKWAY OR SIMILAR PERVIOUS GROUND COVER MATERIAL.
- NEW 5' CONC. SIDEWALK NEW SIDEWALK TO MATCH (E) SIDEWALK MATERIAL. ELEVATION TAPER NEW 5' SIDEWALK TO (E) SIDEWALK WIDTH. PROVIDE 4" CONC. CURB. PROVIDE 4" CONC. CURB. TO MATCH (E) SIDEWALK. GRADE THE DITCH W/ GRASS TO MATCH THE (E) FLOW LINE.
- 9' x 6' MOTORIZED WROUGHT IRON GATE
- GATE MOTOR

SITE PLAN

DRAWN BY	CHECKED BY
FG	FG
DATE: 3/11/2020	
SCALE: AS NOTED	
JOB NO:	

A1.1

BASS ST. RESIDENCE  
1615 BASS STREET  
HOUSTON, TX 77007  
AHB Development LLC



CROSS SECTION @ I-10

SCALE: 1"=10'

<div>BASS ENCLAVE</div> <div><u>OWNERS</u></div> <div>AHB DEVELOPMENT LLC, A TEXAS LIMITED LIABILITY COMPANY 13280 NORTHWEST FWY, SUITE F309 HOUSTON, TX 77040</div>	TITLE		
	CROSS SECTION PLAN @ I-10		
	PROJECT		
	BASS ENCLAVE		
	DATE: 03/12/20	JOB #: 19-1050	SHEET NO.  CSP-1
	DRAWN BY: CW		
CHECKED BY: CW			





**Application Number:** 2020-0458

**Plat Name:** Bass Enclave

**Applicant:** CE Engineers & Development Consultants, INC

**Date Submitted:** 03/09/2020

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 provide 0' Building Line on Highway I-10.

**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**

**(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 developer has already dedicated certain square footage to the City for R.O.W. widening purpose, hence, the lot is not adjacent to the highway any more. Also, since the lot is already very narrow, 25' Building line will ruin this property.

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

The developer has already dedicated certain square footage to the City for R.O.W. widening purpose, hence, the lot is not adjacent to the highway any more. For the aforementioned reasons we are requesting to provide 0' Building Line on Highway I-10.

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

The developer has already dedicated certain square footage to the City for R.O.W. widening purpose, hence, the lot is not adjacent to the highway any more. Also, since the lot is already very narrow, 25' Building line will ruin this property.

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

The developer is promising that we will not cause any injuries to the public health, safety and welfare because of this project. Meanwhile, we would like to hear from the commission about any suggestions on the design of walkway and we comply to follow all those requirements.

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

The developer has already dedicated certain square footage to the City for R.O.W. widening purpose, hence, the lot is not adjacent to the highway any more. Also, since the lot is already very narrow, 25' Building line will ruin this property.





# 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](http://www.houstontx.gov)

April 21, 2020

## NOTICE OF VARIANCE REQUEST

**PROJECT NAME:** Bass Enclave

**REFERENCE NUMBER:** 2020-0458

**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 southwest intersection of Interstate Highway 10 and Bass 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.

CE Engineers & Development Consultants, the applicant, has filed the request on behalf of the developer of the subject site. The applicant is requesting a variance to allow a 0' building line along Interstate Highway 10 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. This item is currently being scheduled for consideration at a

### Virtual Planning Commission Meeting

**Thursday, April 30, 2020, at 2:30 p.m.**

Due to the COVID 19 emergency, and the Mayor's directives on social distancing and limits on public gatherings, The Planning Commission will hold a video conference via Microsoft Teams. The video conference will allow for a two-way video/ audio communication with Houston Planning Commission. To join the meeting, visit our website:

[www.houstonplanning.com](http://www.houstonplanning.com)

You may also submit comments or sign up as speakers in the following ways:

1. Send email to: [speakercomments.pc@houstontx.gov](mailto:speakercomments.pc@houstontx.gov),

Please submit written comments or sign up as speakers at least 24 hours in advance of the meeting, so staff may compile them in order of the agenda items. These will be read into the record but may be summarized by staff if they are especially lengthy or duplicative of other comments. ALL comments submitted will be made part of the meeting record. Speakers who signed up to speak will be allowed to make their comments during the meeting.

2. Call the Planning Department at: 832-393-6624. A staff member will take your comments. Your comments will be read into the record and made part of the meeting record.

For additional information regarding this project, please call Chen Wang with CE Engineers & Development Consultants at 832-491-1458. You may also contact Aracely Rodriguez with the Planning and Development Department regarding this notice via email at [planning.variances@houstontx.gov](mailto:planning.variances@houstontx.gov) or call (832)393-6600. To view the complete Planning Commission meeting agenda, go to [www.houstonplanning.com](http://www.houstonplanning.com). Information on the reverse side of this page explains more about the terminology used in this letter.

THE PLAT MAY BE DEFERRED. THE NEW DATE FOR COMMISSION ACTION WILL BE INDICATED ON THE POSTED SIGN(S) THE MONDAY 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.

## **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

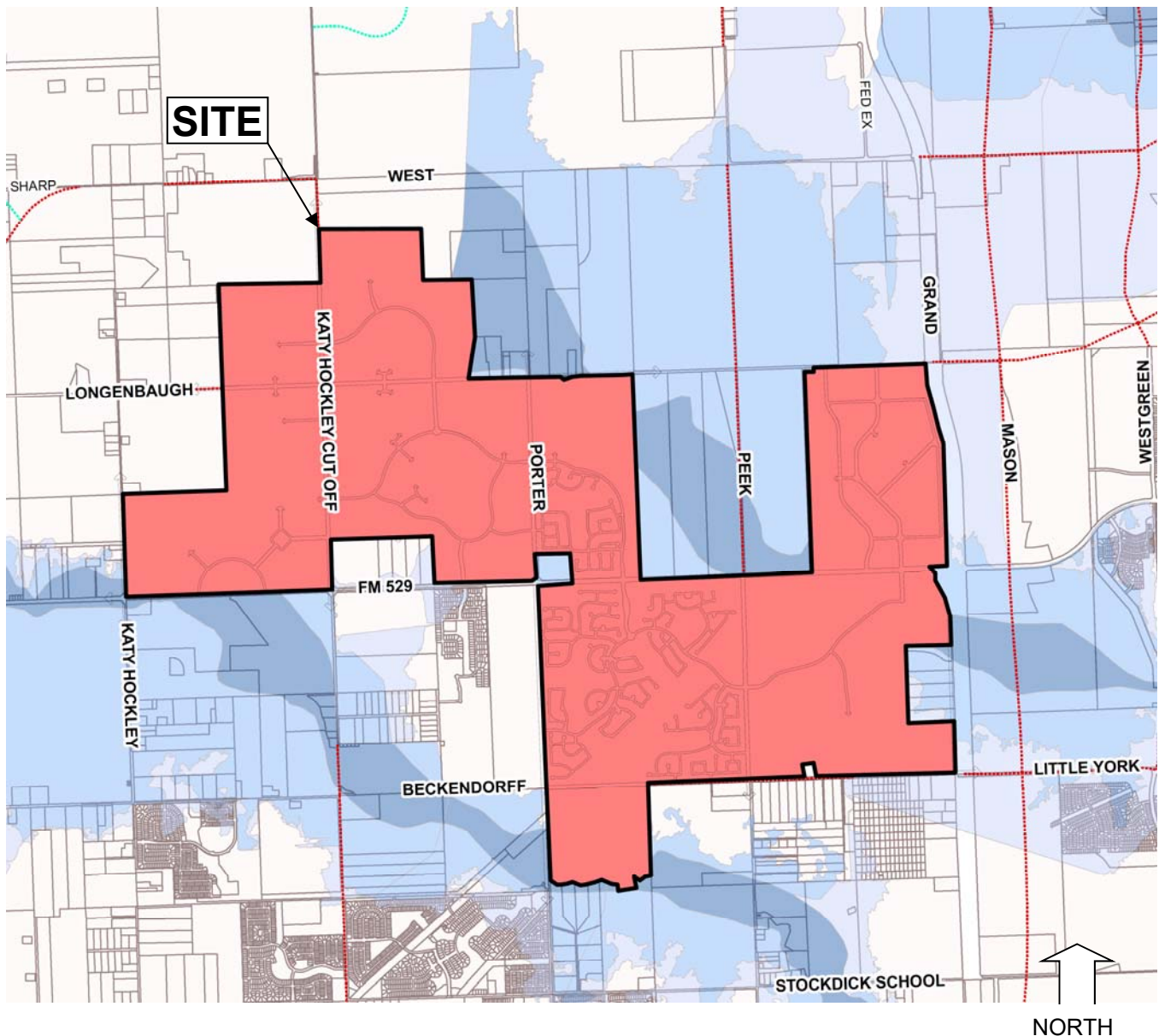
ITEM: 106

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Elyson GP

Applicant: META Planning + Design, LLC



D – Variances

Site Location



# Houston Planning Commission

ITEM: 106

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Elyson GP

Applicant: META Planning + Design, LLC



D – Variances

Subdivision

# Houston Planning Commission

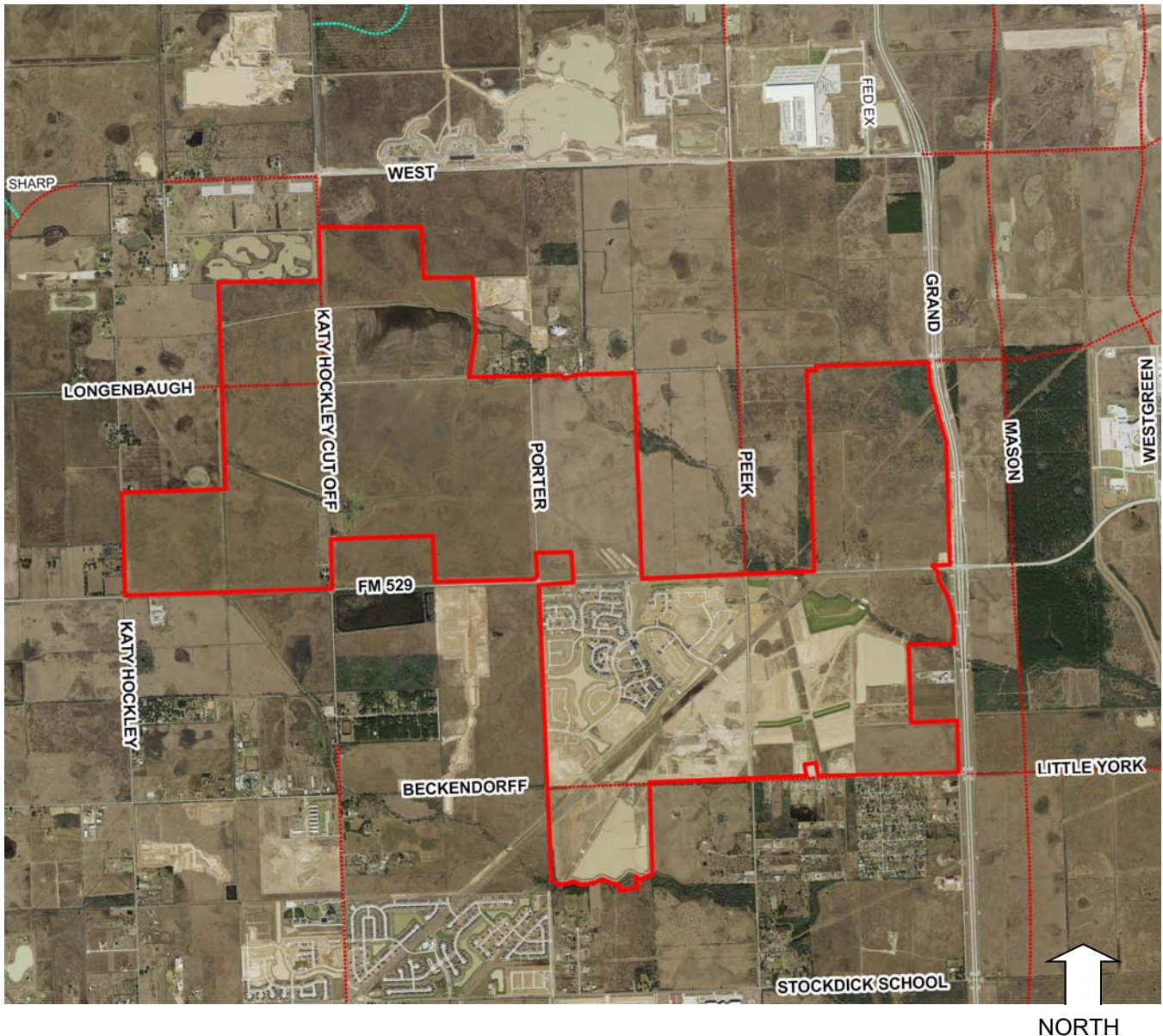
ITEM: 106

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Elyson GP

Applicant: META Planning + Design, LLC



D – Variances

Aerial



a variance exhibit for

# ELYSON BECKENDORFF ROAD LIGHT INDUSTRIAL TRACT

prepared for  
**NEWLAND COMMUNITIES**



24275 Katy Freeway, Ste. 200  
Katy, Texas 77494  
Tel: 281-810-1422

SCALE  
0 150 300 600

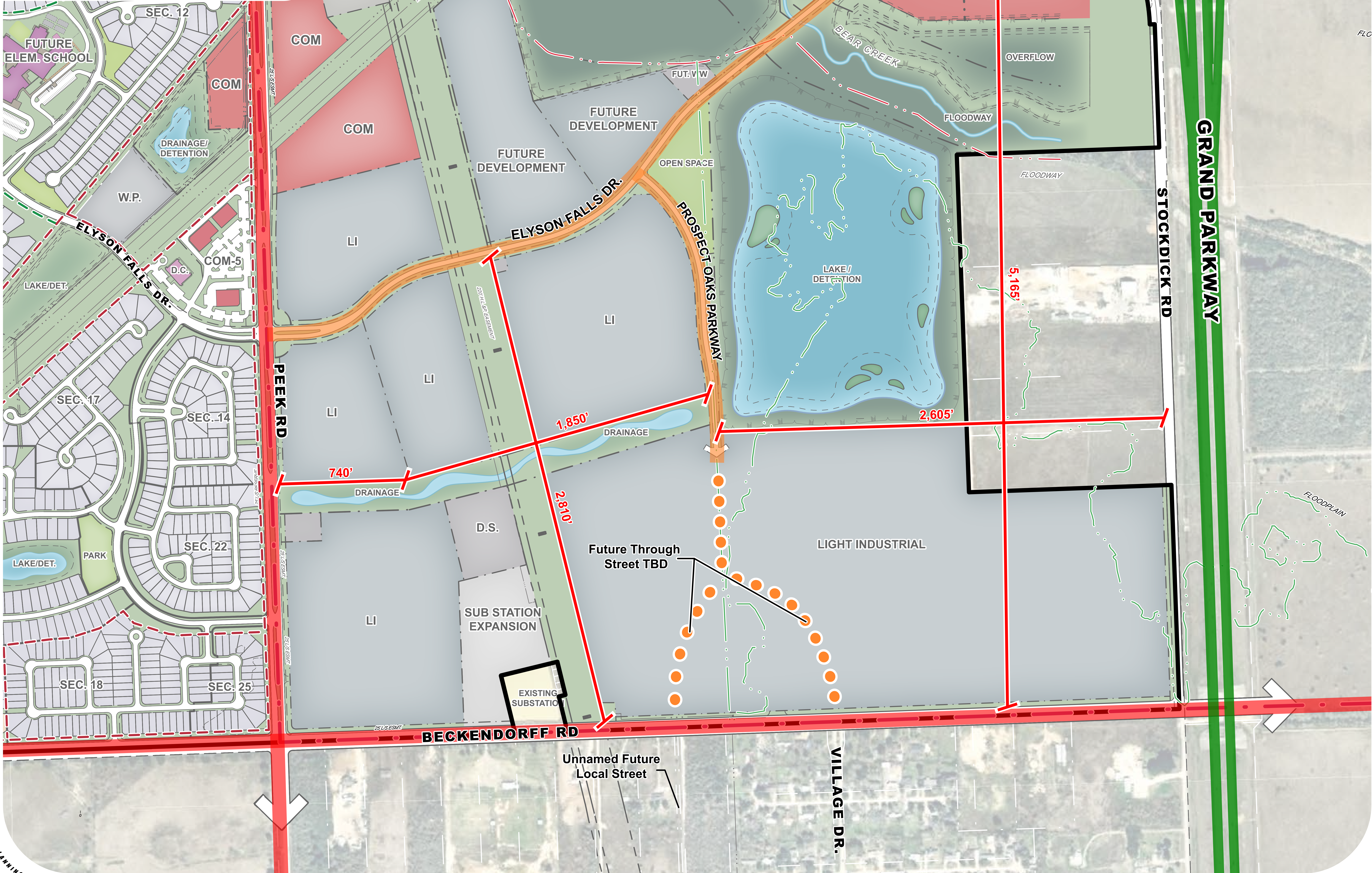
MTA-518  
MAY 14, 2020

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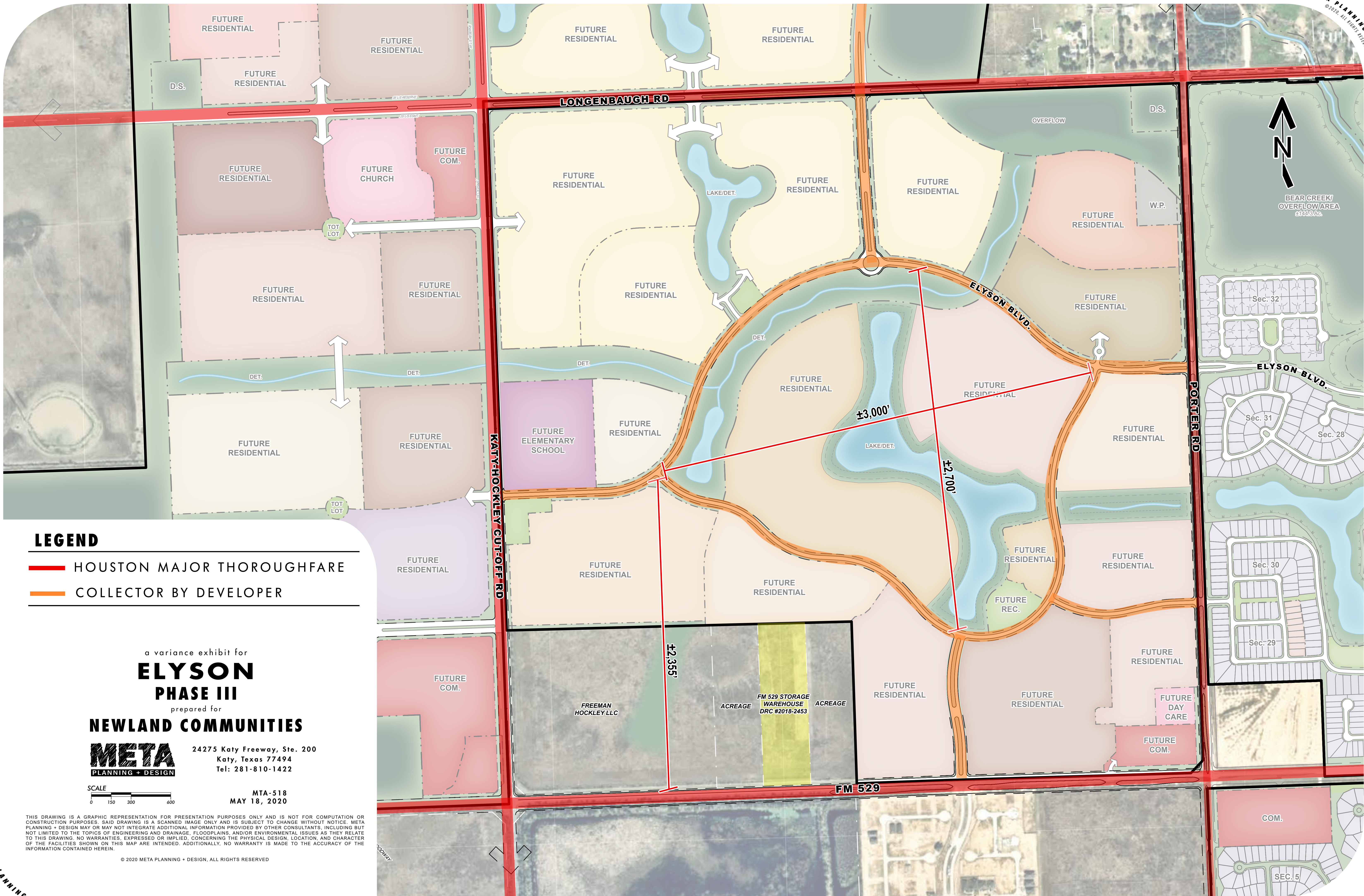
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## LEGEND

- FREEWAY/EXPRESSWAY**
- MAJOR THOROUGHFARE**
- COLLECTOR BY DEVELOPER**







**LEGEND**

- HOUSTON MAJOR THOROUGHFARE
- COLLECTOR BY DEVELOPER

a variance exhibit for  
**ELYSON**  
**PHASE III**

prepared for  
**NEWLAND COMMUNITIES**



24275 Katy Freeway, Ste. 200  
Katy, Texas 77494  
Tel: 281-810-1422

SCALE  
0 150 300 450

MTA-518  
MAY 18, 2020

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**Application Number:** 2020-0823

**Plat Name:** Elyson GP

**Applicant:** META Planning + Design, LLC

**Date Submitted:** 05/18/2020

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 collector street network to replace the standard 1,400' local street intersection spacing between three thoroughfares and the Grand Parkway.

**Chapter 42 Section:** 128

**Chapter 42 Reference:**

42-128. Intersections of local streets. (a) Each class III plat and each general plan that shows local streets shall provide for internal circulation by meeting either of the following requirements: (1) Each local street shall intersect with a street that meets the requirements of subsection (b) at least every 1,400 feet; or (2) One or more collector streets within the class III plat or general plan shall connect with another collector street or major thoroughfare at a minimum of two points.

## 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;**

Elyson is an in-progress ±3,560-acre master planned community located far west of central Houston and north of the City of Katy, west of the Grand Parkway (TX-99) and primarily north and south of FM 529, aka Freeman Road, a major thoroughfare. The area under discussion is located south of FM 529 and immediately west of the Grand Parkway. The subject area is bounded by a one-mile thoroughfare grid comprised of FM 529 to the north, Peek Road to the west, Beckendorff Road to the south, and Stockdick Road (a local street) to the east. Stockdick Rd parallels the Grand Parkway and functions as a two-way frontage road, providing direct access between FM 529 and Beckendorff Rd. Substantial existing physical encumbrances affect this square mile. The subject area is bisected by Bear Creek, which has a substantial width through the entire region, and the site is further impacted by the overflow of Cypress Creek far north of this region. The original Elyson GP addressed the significant drainage and detention impacts on the site. Within Elyson, a pre-existing regional detention basin feeds into Bear Creek and is being slightly expanded as a part of the development of Elyson, along with some connecting drainage channels. The square mile block is also bisected by an HL&P overhead transmission corridor approximately 220' in width, and a combination of pipeline easements in a corridor totaling 190' in width. The electric transmission corridor is accompanied by a substation site, which is currently being expanded. Various drill sites and well sites are scattered throughout the block. A few large out-tracts lie east of the detention basin, taking access from Stockdick Road to the west. See attached exhibit for reference. The developable land within this square mile is thus extremely divided by these numerous pre-existing physical encumbrances which make local street connections challenging. The useable areas are being developed as large single-owner sites, primarily non-residential uses such as retail/commercial and light industrial/office warehouse facilities, with some sites already in progress. The proposed land uses tend to provide internal private drives as a part of the individual developments, and local public streets cutting between these sites will not greatly improve traffic circulation from site to site. Collector streets are more suited to directing traffic to and through these types of developments. The ordinance recognizes collector streets as an alternative to local streets at the typical 1,400' spacing. Additionally, local streets will not greatly improve

access for local trips. Commercial sites prefer frontage on thoroughfares, which provide the desired marketability and access for their end users without dependence on side-streets, while the tracts proposed for light industrial use will have both low traffic volume and controlled access for vehicles, making small public through-streets undesirable. The developer proposes a collector street network in this area, consisting of two collector streets that make direct connections to the surrounding thoroughfares and provide access to the individual non-residential tracts within the square mile. One of these collector streets, Elyson Falls Drive, is nearly complete between Peek Rd on the west and FM 529 on the north. The other, Prospect Oaks Parkway, is a future collector street connecting Elyson Falls Drive to Beckendorff Road on the south. The exact endpoint of Prospect Oaks Pkwy to the south is not yet finalized, although due to the existing features and previously established intersections along Beckendorff Rd, it will fall somewhere near the midpoint of the square mile block. Two potential alignments are shown on the attached exhibit. The developer proposes no local public streets in this square mile block other than the two identified collector streets. On the west, no direct connections are made to Stockdick Rd. The out-tracts, existing detention basin, and Bear Creek floodway occupy the middle of the block for a combined span of  $\pm 2,755'$ , and any connection to Stockdick Rd would thus be at the extreme north or south, which would not substantially improve east-west circulation. Furthermore, since the Grand Parkway is immediately east of Stockdick Rd, all east-bound traffic will be diverted to the underpasses for FM 529 and Beckendorff Rd anyway; thus, a collector connection is better aimed at those thoroughfares than at Stockdick Rd. The proposed collector intersections also have the appropriate spacings for signal lights and median cuts along the thoroughfares, where existing Stockdick Rd does not. As a result, the through-street intersection spacing is from thoroughfare to thoroughfare for the full square mile block, approximately  $\pm 5,165'$ . On the southeast, the two collector streets create a quadrant of roughly a quarter of the total square mile, with Peek Rd and Beckendorff Rd forming the other sides. This quadrant is further subdivided by the existing HL&P transmission corridor and the drainage channel that connects the existing single-family areas to the detention basin and Bear Creek. The distance along the HL&P easement between Elyson Falls Dr. and Beckendorff Rd. is approximately  $\pm 2,810'$ , and the distance along the channel from Peek Rd. to future Prospect Oaks Pkwy totals approximately  $\pm 2,590'$ . No local streets are proposed to connect the individual tracts carved out by these features. The proposed collector street network will provide access for all the tracts that are divided by the existing physical conditions of the area, and will safely direct traffic to the surrounding thoroughfares. As collector streets are contemplated by the ordinance as a sufficient replacement for local street intersection spacing, the proposed collector network is in keeping with the intent of the ordinance and will not frustrate local traffic circulation nor create any unsafe traffic conditions.

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

The existing physical conditions create a challenging landscape within which to develop the site and are not the result of hardships created or imposed by the applicant. The developer proposes a collector street network that satisfies the intent of the ordinance regarding intersection spacing within these encumbrances.

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

The proposed collector street network fully preserves and maintains the intent and general purposes of this chapter regarding local street and collector street networks and intersection spacings.

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

The granting of the variance will allow a superior circulation system that provides better connectivity, safer thoroughfare intersections, and reduced local trips on thoroughfares, all of which are advantageous to the public health, safety, and welfare.

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

The existing physical characteristics and the provision of collector streets are the justifications for the granting of the variance.



**Application Number:** 2020-0823

**Plat Name:** Elyson GP

**Applicant:** META Planning + Design, LLC

**Date Submitted:** 05/18/2020

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 the area within a collector loop system to have no internal through-streets, instead of the required 1,400' intersection spacing between local through streets.

**Chapter 42 Section:** 128

**Chapter 42 Reference:**

42-128. Intersections of local streets. (a) Each class III plat and each general plan that shows local streets shall provide for internal circulation by meeting either of the following requirements: (1) Each local street shall intersect with a street that meets the requirements of subsection (b) at least every 1,400 feet; or (2) One or more collector streets within the class III plat or general plan shall connect with another collector street or major thoroughfare at a minimum of two points.

### 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;**

Elyson is an in-progress  $\pm 3,560$ -acre master planned community located far west of central Houston and north of the City of Katy, west of the Grand Parkway (TX-99) and primarily north and south of FM 529, aka Freeman Road, a major thoroughfare. The area under discussion is located north of FM 529, west of major thoroughfare Porter Road, and east of Katy-Hockley Cut-Off Road. The subject area is bounded by a one-mile thoroughfare grid comprised of FM 529, Porter Rd, Katy-Hockley Cut-Off Rd, and Longenbaugh Road to the north. Within this one-mile square, the developer proposes a collector street network consisting of several interconnected "unloaded" collector streets with no driveway access to individual lots. These streets efficiently direct traffic between separate residential cells and the surrounding thoroughfares. The ordinance recognizes collector streets as an alternative to local streets at the typical 1400' spacing. Within the subject area, the collector streets define a somewhat circular area on the interior which is completely bounded by collectors. See attached exhibit for "Phase III" in Elyson. This internal loop is bisected by a drainage & detention facility that also curves westward along the collector loop. No through-streets are proposed across the central detention facility, which is proposed to be approximately 280' wide at its narrowest point, and typically much wider. The ordinance recognizes a 2,640' intersection spacing for required detention facilities like the one proposed in this area. The greatest north-south span along the detention facility is approximately 2,700' within the collector loop. From east to west, the greatest span between collector streets is approximately 3,300'. There is opportunity for local street connections between internal cells to either side of the drainage channel, which would shorten the actual distance between north-south through-streets, although the internal street pattern is not yet designed and specific dimensions have not yet been determined. Ultimately, the collector loop will provide superior circulation for the individual residential sections to be able to navigate to nearby thoroughfares in all directions, or to make trips within the square mile without utilizing the thoroughfare network. This provides the level of interconnectivity contemplated by the ordinance and meets the intent for intersection spacing.

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

The developer proposes a collector street network that completely satisfies the intent of the ordinance regarding intersection spacing and is a superior circulation system compared to a 1400' intersection spacing that would meet the letter of the requirement.

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

The proposed collector street network fully preserves and maintains the intent and general purposes of this chapter regarding local street and collector street networks and intersection spacing for residential communities.

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

The granting of the variance will allow a superior circulation system that provides better connectivity, safer thoroughfare intersections, and reduced local trips on thoroughfares, all of which are advantageous to the public health, safety, and welfare.

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

The provision of collector streets is at the sole discretion of the developer in spite of economic costs associated with unloaded through-streets, and will provide a superior circulation system for the community, which is the justification for the granting of the variance.





**Application Number:** 2020-0823

**Plat Name:** Elyson GP

**Applicant:** META Planning + Design, LLC

**Date Submitted:** 05/18/2020

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 intersection spacing of  $\pm 2,355'$  for internal local streets between a collector street and a major thoroughfare, instead of the required 1,400' local street intersection spacing.

**Chapter 42 Section:** 128

**Chapter 42 Reference:**

42-128. Intersections of local streets. (a) Each class III plat and each general plan that shows local streets shall provide for internal circulation by meeting either of the following requirements: (1) Each local street shall intersect with a street that meets the requirements of subsection (b) at least every 1,400 feet; or (2) One or more collector streets within the class III plat or general plan shall connect with another collector street or major thoroughfare at a minimum of two points.

### 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;**

Elyson is an in-progress  $\pm 3,560$ -acre master planned community located far west of central Houston and north of the City of Katy, west of the Grand Parkway (TX-99) and primarily north and south of FM 529, aka Freeman Road, a major thoroughfare. The area under discussion is located north of FM 529, west of major thoroughfare Porter Road, and east of Katy-Hockley Cut-Off Road. The subject area is bounded by a one-mile thoroughfare grid comprised of FM 529, Porter Rd, Katy-Hockley Cut-Off Rd, and Longenbaugh Road to the north. Within this one-mile square, the developer proposes a collector street network consisting of several interconnected "unloaded" collector streets with no driveway access to individual lots. These streets efficiently direct traffic between separate residential cells and the surrounding thoroughfares. The ordinance recognizes collector streets as an alternative to local streets at the typical 1400' spacing. A collection of out-tracts not a part of Elyson occupies the southwest corner of the square mile block. See attached exhibit of "Phase III" of Elyson for reference. One of these out-tracts has an approved plat, "FM 529 Storage Warehouse", with no through-streets proposed in the plat, which prevents through-traffic in an east-west direction for the depth of the out-tracts, about 1,225'. Since the storage facility blocks most of the 1400' distance, an east-west through street would be required almost immediately north of the property line in Elyson. Instead, the developer proposes a collector street network that connects FM 529 and Katy-Hockley Cut-Off Rd surrounding these out-tracts. The collector street provides a more direct route for traffic traveling between the two thoroughfares. The individual residential sections in Elyson may have local interconnections, but through-traffic will utilize the collector streets for trips from residential section to section internally or for trips out to the surrounding thoroughfares, which is a more efficient means of connectivity. The greatest distance from FM 529 to the northern-most collector street is about  $\pm 2,355'$ , less than the 2,600' maximum intersection spacing for major thoroughfares. The block bounded by the collector street meets the intent of the ordinance for intersection spacing, however the out-tracts are outside the Elyson GP. Since the out-tracts are still within the grid of designated major thoroughfares, the collector street network within Elyson is still able to satisfy the intersection spacing standards contemplated by the ordinance.

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

The developer proposes a collector street network that completely satisfies the intent of the ordinance regarding intersection spacing and is a superior circulation system compared to a 1400' intersection spacing that would meet the letter of the requirement.

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

The proposed collector street network fully preserves and maintains the intent and general purposes of this chapter regarding local street and collector street networks and intersection spacing for residential communities.

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

The granting of the variance will allow a superior circulation system that provides better connectivity, safer thoroughfare intersections, and reduced local trips on thoroughfares, all of which are advantageous to the public health, safety, and welfare.

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

The provision of collector streets is at the sole discretion of the developer in spite of economic costs associated with unloaded through-streets, and will provide a superior circulation system for the community, which is the justification for the granting of the variance.

# Houston Planning Commission

**ITEM: 107**

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Houston Heights partial replat no 27 (DEF 2)

Applicant: E.I.C. Surveying Company



**D – Variances**

**Site Location**

# Houston Planning Commission

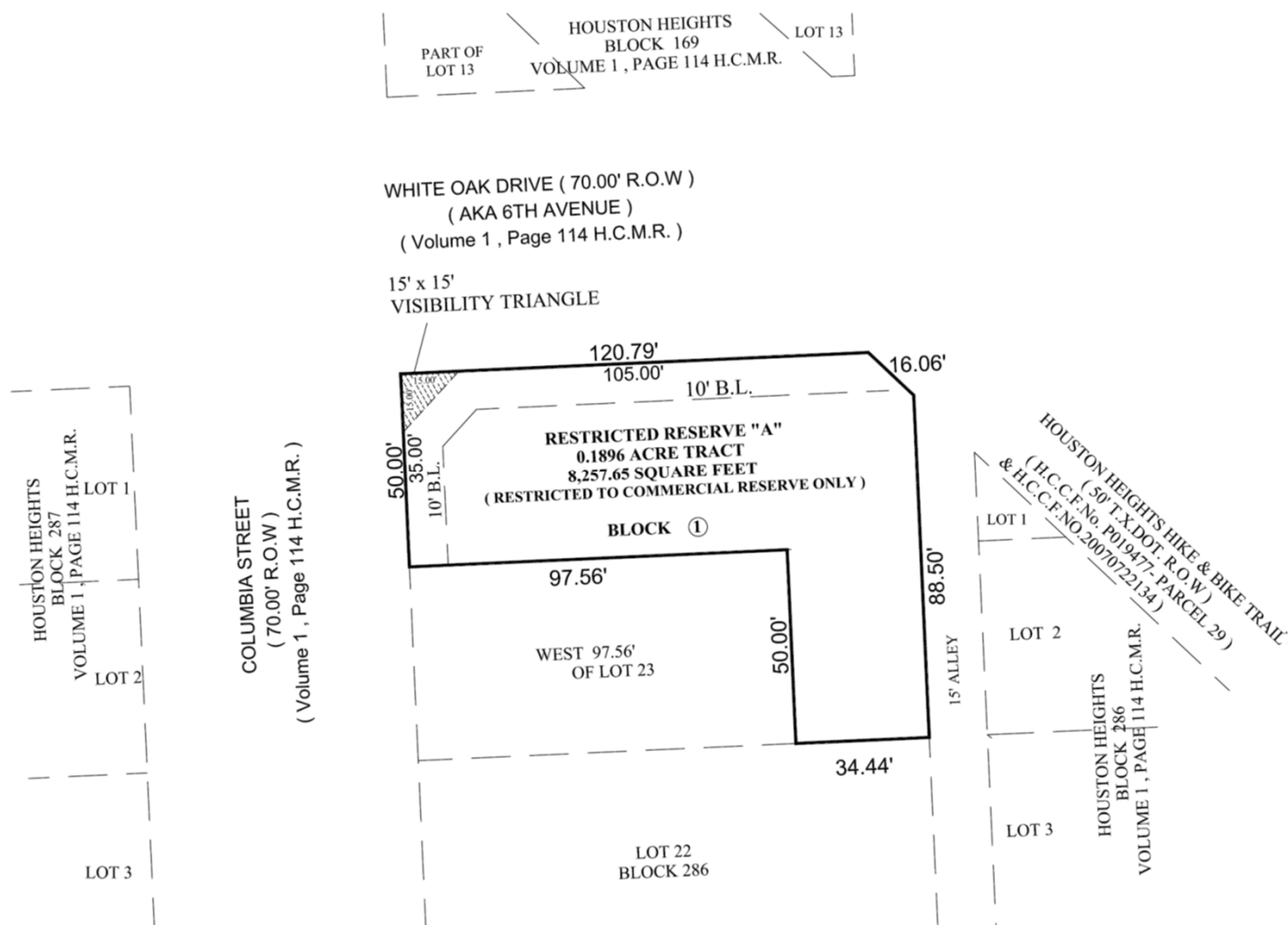
## ITEM: 107

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Houston Heights partial replat no 27 (DEF 2)

Applicant: E.I.C. Surveying Company



D – Variances

Subdivision



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# Houston Planning Commission

## ITEM: 107

Planning and Development Department

Meeting Date: 05/28/2020

---

Subdivision Name: Houston Heights partial replat no 27 (DEF 2)

Applicant: E.I.C. Surveying Company



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**D – Variances**

**Aerial**

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## PLANNING & DEVELOPMENT DEPARTMENT

### APPLICANT'S Variance Request form

**Application Number:** 2020-0280

**Plat Name:** Houston Heights partial replat no 27

**Applicant:** E.I.C. Surveying Company

**Date Submitted:** 02/10/2020

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:**

Specific variance is being sought and extent of variance: Specific variance is being sought and extent of variance is to allow reduced building line of 5 building line on White Oak Drive and Columbia Street instead of 10' required building line.

**Chapter 42 Section:** 155(a)

**Chapter 42 Reference:**

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 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;**

The proposed subdivision is a replat of a portion of Lots 23 and 24, Block 286 of Houston Heights as recorded in Volume 1, Page 114 of the Harris County Map Records. It is the site of an existing car wash and an existing two-story Brick, Frame apartments building on slab and is serviced on the north by White Oak Drive a local street, a 70' right of way. On the west by Columbia street a 70' right of way local street. (see attached HCAD map and existing survey). The requirement for a 10' building setback line along White Oak Drive and Columbia street will prevent the development of the site. The developer will demolish and remove the car wash that is on the property line and the two-story brick and frame building (see existing condition survey), and proposes to construct a two story Shopping Center with a 1961 square feet restaurant. The overhang of the second story for the parking garage will be at 5.8' from the property line along White Oak Drive and Columbia Street. (see attached site plan Scheme C) . . The building requires 20 parking spaces for the restaurant and 11 spaces for the retail shopping center per the city of Houston requirement, but the developer will be providing 30 parking spaces 12 spaces off- street parking that the owners are working as this plat is submitted to lease from neighboring businesses. 4 street parking spaces and 72 Bicycle parking that will help the visitors specially the one that are using the Houston Heights Hike and Bike Trail along the east side of the proposed subdivision . By not providing the 5' building line variance 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;**

This has been a commercial property for a long time, the existing condition survey shows 2 driveways along White Oak Drive and an inadequate pedestrian side walk. Currently along White Oak Drive and Columbia street both have a 4' sidewalk with no trees along White Oak Drive and Columbia street. With the proposed development the existing 4' wide sidewalk will be widened to well-defined 5' wide sidewalk with proposed landscaping buffer that will have 3 trees along White Oak Drive and 2 trees along Columbia street, that will improve the pedestrian experience. And for the reason as explained in 1(b) the circumstances supporting the granting of the variance are not the result of a hardship created or imposed by the applicant.

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

The owners of the proposed subdivision will fully support the intent and general purposes of this chapter and will be preserved and maintained.

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

The owners believe that this report and for the reason given above has proven that granting of the variance will not be injurious to the public health, safety or welfare, on the contrary having a reduced building setback line will allow the owner of the proposed subdivision reasonable use of the property,. Reducing the amount of curb cuts and proposing one landscaping area with 1 driveway instead of 3 driveways and a proposed 5' wide side walk along White Oak Drive and having a 5' wide sidewalk and specified driveway along Columbia street and this will encourage pedestrian activity along both streets. Also removing the existing parking spaces along White Oak Drive will be safer by not having cars backing up onto White Oak Drive.

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

- Economic hardship is not the sole justification of the variance. It is not the primary or even secondary justification, as explained in this report. By approving this variance for reduced setback on White Oak Drive and Columbia street, the Commission will enable the owners of the proposed subdivision to achieve reasonable use of their land. By upgrading the property will give a better look and allow a better experience for all visiting the area.



**Application Number:** 2020-0280

**Plat Name:** Houston Heights partial replat no 27

**Applicant:** E.I.C. Surveying Company

**Date Submitted:** 02/10/2020

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:**

Specific variance is being sought and extent of variance is to remove the visibility triangle at the corner of White Oak drive and Columbia street.

**Chapter 42 Section: 161**

**Chapter 42 Reference:**

The building line for property adjacent to two intersecting streets shall not encroach into any visibility triangle, the triangular area adjacent to the intersection of any street established by measuring a distance 15 feet from the point of intersection of two streets along the right-of-way of each of the intersecting street and connecting the ends of each measured distance, to assure adequate visibility sight lines for vehicular traffic approaching the intersection. The maximum height of the visibility triangle shall be 20 feet as measured vertically from the ground.

### 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 subdivision is a replat of a portion of Lots 23 and 24, Block 286 of Houston Heights as recorded in Volume 1, Page 114 of the Harris County Map Records. It is the site of an existing car wash and an existing two-story Brick, Frame apartments building on slab and is serviced on the north by White Oak Drive a local street, a 70' right of way. On the west by Columbia street a 70' right of way local street. (see attached HCAD map and existing survey). The developer will demolish and remove the car wash that is on the property line and the two-story brick and frame building (see existing condition survey), and proposes to construct a two story Shopping Center with a 1961 square feet restaurant. All in the second floor with parking in the first floor with a clearance of 12.5 feet clearance. (see attached site plans and North and west elevations plans). The distance from the back of curb to the property line along Columbia street is 19.3 feet. The distance from the back of curb to the property line along White Oak drive is 14 feet. 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.

**(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;**

This has been a commercial property for a long time, the existing condition survey shows 2 driveways along White Oak Drive and an inadequate pedestrian side walk. Currently along White Oak Drive and Columbia street The distance from the back of curb to the property line along Columbia street is 19.3'. The distance from back of curb to the property line along White oak drive is 14'. And for the reason as explained in 1(a) the circumstances supporting the granting of the variance are not the result of a hardship created or imposed by the applicant.

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

The purpose of the visibility triangle is to assure adequate visibility sight lines for vehicular traffic approaching the intersection. The owners of the proposed subdivision will fully support the intent and general purposes of this chapter and will be preserved and maintained

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

The owners believe that this report and for the reason given above has proven that granting of the variance will not be injurious to the public health, safety or welfare, On the contrary approving the variance will allow the owner of the proposed subdivision reasonable use of the property,. Reducing the amount of curb cuts and proposing one landscaping area with 1 driveway instead of 3 driveways and a proposed 6' wide side walk along White Oak Drive and having a 6' wide sidewalk and specified driveway along Columbia street and this will encourage pedestrian activity along both streets. Also removing the existing parking spaces along White Oak Drive will be safer by not having cars backing up onto White Oak Drive.

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

Economic hardship is not the sole justification of the variance. It is not the primary or even secondary justification, as explained in this report. By approving this variance the Commission will enable the owners of the proposed subdivision to achieve reasonable use of their land. By upgrading the property will give a better look and allow a better experience for all visiting the area.





# 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](http://www.houstontx.gov)

April 21, 2020

## NOTICE OF VARIANCE REQUEST

**PROJECT NAME:** Houston Heights partial replat no 27

**REFERENCE NUMBER:** 2020-0280

**VAR**

Dear Property Owner:

The Planning and Development Department has received a subdivision application with a variance request for a property located along White Oak Drive west of Studewood 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.

**E.I.C. Surveying Company**, 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 White Oak Drive and Columbia Street instead of 10' required 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. This item is currently being scheduled for consideration at a

### Virtual Planning Commission Meeting

**Thursday, April 30, 2020, at 2:30 p.m.**

Due to the COVID 19 emergency, and the Mayor's directives on social distancing and limits on public gatherings, The Planning Commission will hold a video conference via Microsoft Teams. The video conference will allow for a two-way video/ audio communication with Houston Planning Commission. To join the meeting, visit our website:

[www.houstonplanning.com](http://www.houstonplanning.com)

You may also submit comments or sign up as speakers in the following ways:

Council Members: Amy Peck Jerry Davis Abbie Kamin Carolyn Evans-Shabazz Dave Martin Tiffany Thomas Greg Travis Karla Cisneros  
Robert Gallegos Edward Pollard Martha Castex-Tatum Mike Knox David W. Robinson Michael Kubosh Letitia Plummer Sallie Alcorn  
Controller: Chris B. Brown

1. Send email to: [speakercomments.pc@houstontx.gov](mailto:speakercomments.pc@houstontx.gov),

Please submit written comments or sign up as speakers at least 24 hours in advance of the meeting, so staff may compile them in order of the agenda items. These will be read into the record but may be summarized by staff if they are especially lengthy or duplicative of other comments. ALL comments submitted will be made part of the meeting record. Speakers who signed up to speak will be allowed to make their comments during the meeting.

2. Call the Planning Department at: 832-393-6624. A staff member will take your comments. Your comments will be read into the record and made part of the meeting record.

For additional information regarding this project, please call Emil Haddad of E.I.C. Surveying Company at 281-955-2772. You may also contact Homero Guajardo Alegria with the Planning and Development Department regarding this notice via email at [planning.variances@houstontx.gov](mailto:planning.variances@houstontx.gov) or call (832)393-6600. To view the complete Planning Commission meeting agenda, go to [www.houstonplanning.com](http://www.houstonplanning.com). Information on the reverse side of this page explains more about the terminology used in this letter.

THE PLAT MAY BE DEFERRED. THE NEW DATE FOR COMMISSION ACTION WILL BE INDICATED ON THE POSTED SIGN(S) THE MONDAY 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.

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# Houston Planning Commission

## ITEM: 108

Planning and Development Department

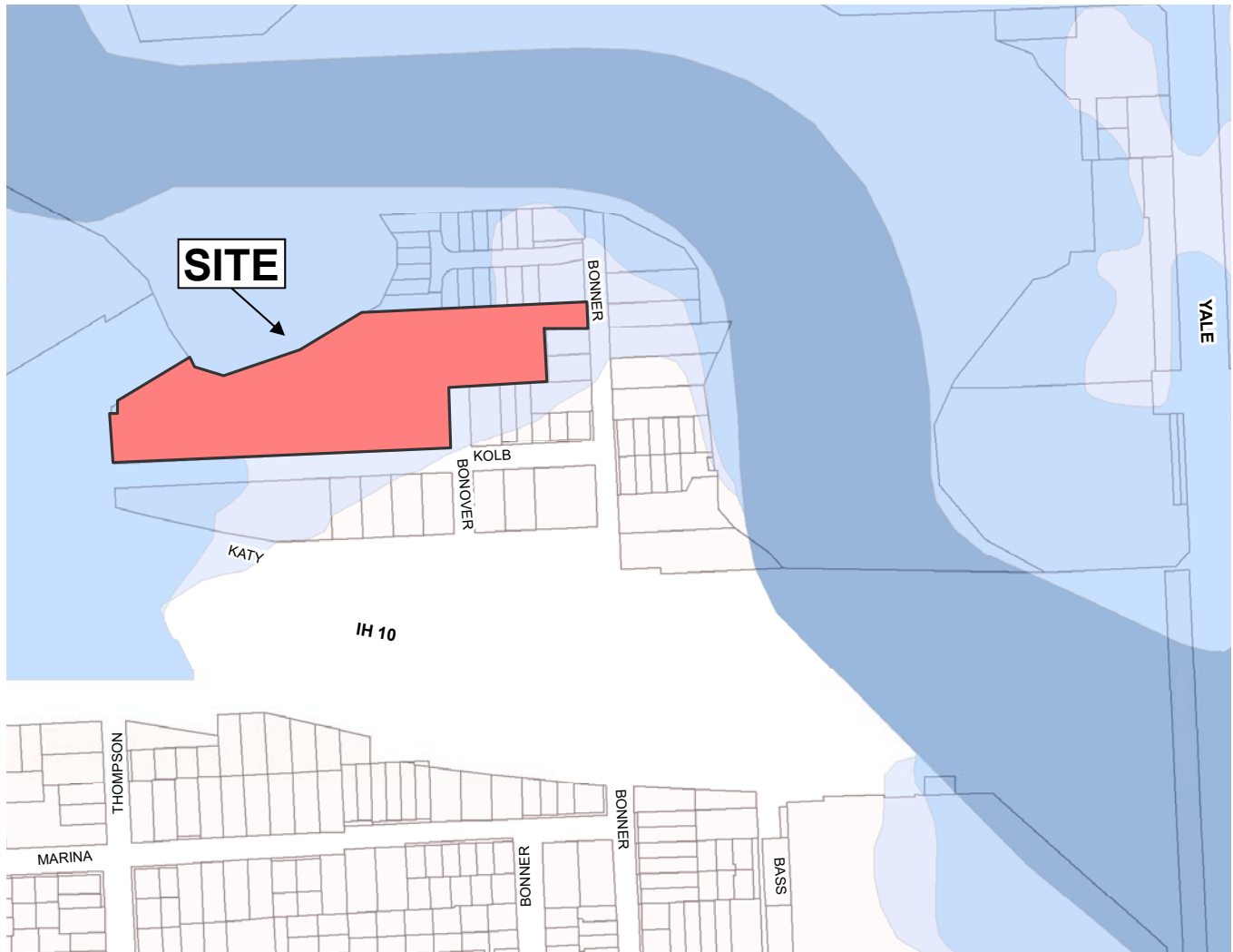
Meeting Date: 05/28/2020

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Subdivision Name: Houston Texas Fire Fighters Federal Credit Union

North (DEF 2)

Applicant: Windrose



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### D – Variances

### Site Location

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# Houston Planning Commission

## ITEM: 108

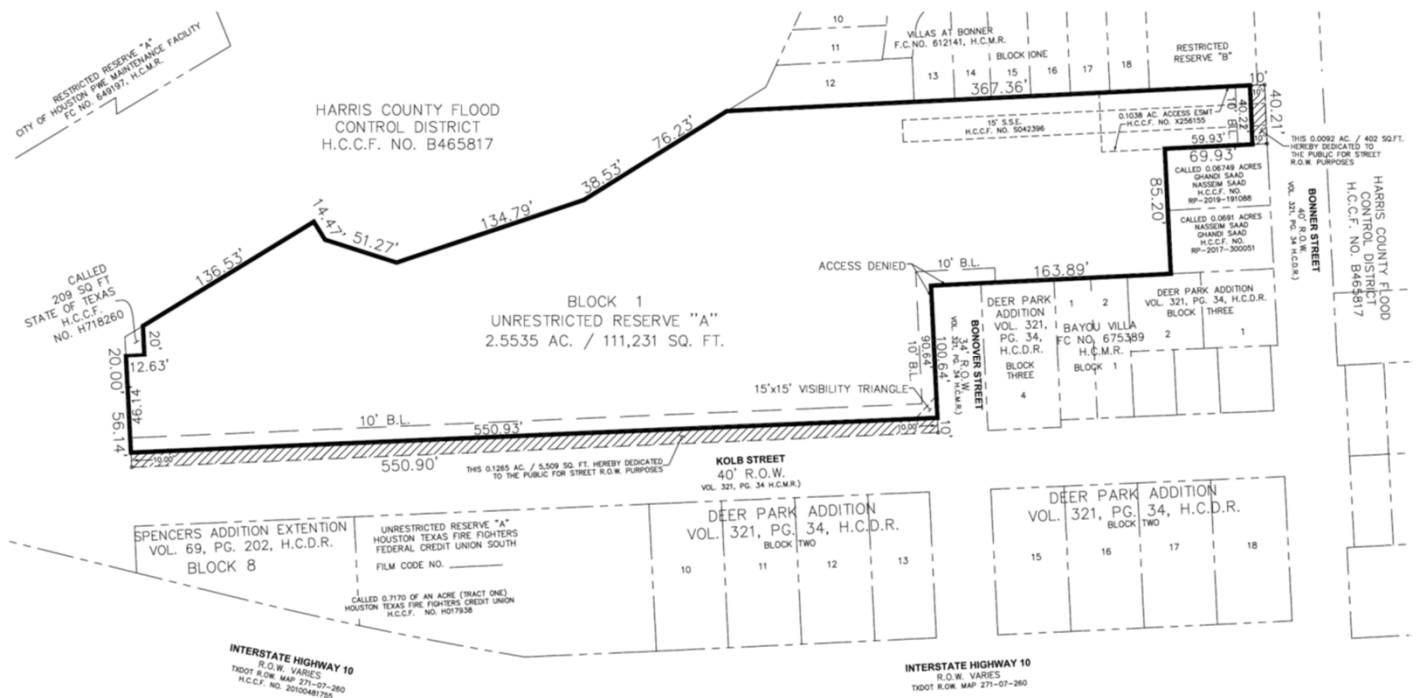
Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Houston Texas Fire Fighters Federal Credit Union

North (DEF 2)

Applicant: Windrose



D – Variances

Subdivision



# Houston Planning Commission

**ITEM: 108**

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Houston Texas Fire Fighters Federal Credit Union

North (DEF 2)

Applicant: Windrose



**D – Variances**

**Aerial**



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 02°19'28" W	31.68'
L2	N 02°57'16" W	56.14'
L3	N 02°58'21" W	20.00'
L4	N 87°01'07" E	12.63'
L5	N 02°57'07" W	20.00'
L6	S 37°56'19" E	14.47'
L7	S 72°24'19" E	51.27'
L8	N 58°06'54" E	38.53'
L9	N 58°13'48" E	76.23'
L10	S 02°29'08" E	40.21'
L11	S 87°08'14" W	69.93'
L12	S 02°29'05" E	40.22'

TEXAS CALL BEFORE YOU DIG  
72 HOURS NOTICE BEFORE YOU DIG, DRILL  
OR BLAST - STOP CALL  
TEXAS ONE CALL SYSTEM  
1-800-344-8377  
IN HOUSTON  
(713)-223-4567

#### LEGEND

- PROPOSED BUILDING PERIMETER SIDEWALK
- PROPOSED CURB RAMP
- EX. MANHOLE
- EX. STORM SEWER
- EX. WATER LINE
- EX. SANITARY SEWER LINE
- EX. OVERHEAD POWER LINE
- EX. UNDERGROUND GAS LINE
- EX. CONTOUR

#### GENERAL NOTES

- PAVEMENT DIMENSIONS AND RADI ARE FACE TO FACE OF CURB, UNLESS OTHERWISE NOTED.
- RADI ARE 3" UNLESS OTHERWISE NOTED.
- REFER TO SITE ELECTRICAL PLAN FOR PROPOSED SITE LIGHTING LAYOUT.
- REFER TO ARCHITECTURAL PLANS FOR EXACT BUILDING/FOUNDATION DIMENSIONS.

#### PARKING ANALYSIS

CITY OF HOUSTON PARKING REQUIREMENTS (CHAPTER 26, ARTICLE VIII)  
TYPE OF OCCUPANCY: OFFICE  
PARKING REQUIREMENTS: 2.5 SPACES FOR EVERY 1,000 SF GFA or 2.75 SPACES FOR EVERY 1,000 SF UFA  
(GFA) 17,141 SF / 1,000 x 2.5 = 43 SPACES REQUIRED  
ACCESSIBLE PARKING REQUIREMENTS (TAS) 26 TO 50 SPACES - 2 SPACES REQUIRED  
TOTAL PARKING PROVIDED: 53 NEW SPACES INCLUDING 3 ACCESSIBLE PARKING SPACES

CONSTRUCTION IN HARRIS COUNTY FLOOD CONTROL DISTRICT RIGHT-OF-WAY REQUIRES:  
SITE PLANS MUST BE APPROVED PRIOR TO OBTAINING THE REQUIRED HCFCOD NOTIFICATION IS SEPARATE FROM THE SITE DEVELOPMENT PERMIT PACKAGE  
1.) HCFCOD RIGHT-OF-WAY NOTIFICATION (SRMWT)  
2.) HCFCOD 48-HR PRE-CONSTRUCTION NOTICE  
NOTICE ARE REQUIRED PRIOR TO ENTERING OR WORKING WITHIN HARRIS COUNTY FLOOD DISTRICT RIGHT-OF-WAY. THE HCFCOD RIGHT-OF-WAY NOTIFICATION AND 48 HOUR NOTICE MUST BE PROVIDED TO HCFCOD AT [HCFCOD@HARRISCOUNTYTX.GOV](mailto:HCFCOD@HARRISCOUNTYTX.GOV) PERMITS AND APPLY FOR THE HCFCOD ROW UNDER ROW NOTIFICATION.  
FAILURE TO PROVIDE BOTH ITEMS COULD RESULT IN PROJECT DELAYS.

No.	REVISIONS	DATE

ALJLindsey  
Civil Engineers  
6229 FM 1960 W, Suite 314  
Houston, TX 77069  
FRN F-11526  
281.301.5955



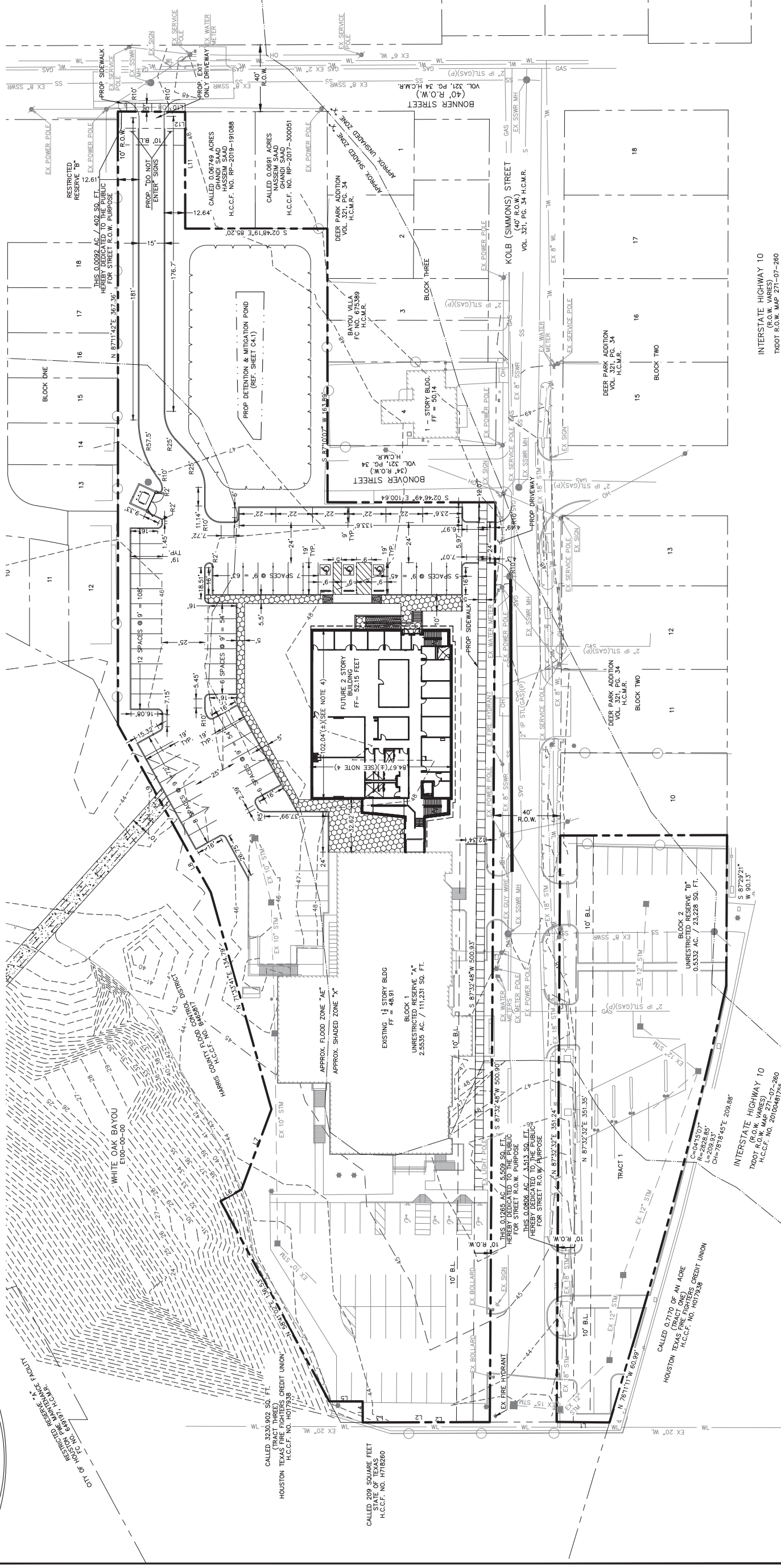
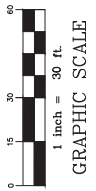
ALJ PROJECT NO. 023.19.CV.031  
DATE: APRIL 2020  
DRAWN BY: DAD  
CHECKED BY: BTH  
14 APRIL 2020

## TRAFFIC AND DIMENSION CONTROL PLAN

## HOUSTON TEXAS FIRE FIGHTERS F.C.U. FACILITIES EXPANSION

SHEET  
C1.0

BENCHMARK: THE FOLLOWING ELEVATIONS ARE BASED ON HARRIS COUNTY FLOODPLAIN REFERENCE MARK NO. 050025, BEING A 100 YEAR FLOOD ELEVATION, LOCATED AT THE INTERSECTION OF HAYS AND HEIGHTS BLVD., SOUTH ALONG HEIGHTS BLVD 0.1 MILES TO THE BENCHMARK ON THE RIGHT. ELEVATION = 39.93'  
TRANSFORM BENCHMARK: 2'S BARRIO SPRING POWER POLE LOCATED ON THE NORTH LINE OF KOLB STREET 47-500 FEET WEST OF THE INTERSECTION OF BONOVER STREET. ELEVATION = 50.83'  
TRANSFORM BENCHMARK: 2'S 11' OF MILLER/OKLA FIRE HYDRANT LOCATED ON THE NORTH LINE OF KOLB STREET 47-500 FEET WEST OF THE INTERSECTION OF BONOVER STREET AND ELEVATION = 46.40'



INTERSTATE HIGHWAY 10  
(R.O.W. VARIES)  
TxDOT ROW MAP 271-07-260



**Application Number:** 2020-0630

**Plat Name:** Houston Texas Fire Fighters Federal Credit Union North

**Applicant:** Windrose

**Date Submitted:** 04/06/2020

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 to dedicate R.O.W. to Bonover Street that stubs directly into the subject property.

**Chapter 42 Section: 122**

**Chapter 42 Reference:**

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 (2) 60 feet if adjacent to any other development.

### **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 is located at the end of Bonover Street and has access from Bonover, Kolb & Bonner Streets. Bonover Street is a 34' wide stub street. The stub street is only one lot deep.. With the existing recorded (plat) townhome development and White Oak Bayou to the north, strict application of the ordinance to dedicate ROW to Bonover Street to the north would create an impractical development. Since Bonover is only one lot deep and traffic volume on the street is minimum, expanding the ROW would not be necessary to improve traffic circulation of the neighborhood enclave. Bonover Street is a 34' ROW street that is currently being used as a parking lot/driveway. Dedicating more ROW to such street will be otherwise be against to sound public policy. Bonover Street will not extend further to the north due to existing development, White Oak Bayou, and its practical use for the last decade as a parking lot/driveway rather than a through ROW. Thus, requiring more ROW will not improve the quality of Bonover Street. The full extension of Bonover Street from IH-10 to the property line has been 34' ROW since the beginning of the last century with a functional two-way street serving the mixed-used enclave south of White Oak Bayou. This unrestricted reserve is propose to be an expansion project to the current Houston Texas Fire Fighters Federal Credit Union Main Offices. The offices serve as an administrative building and credit union to serve the community. The new expansion to the current site is a new building to the east of the current building and west of Bonover Street. All parking requirements per Chapter 26 are being met per the City requirements as shown in the updated site plan sent to Planning Staff.

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

The main justification for granting the requested variance is based on the existing adjacent development and the unique configuration of the subject tract.

**(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. All adjacent land has proper frontage as required the ordinance. Current ROW and street pattern has been sufficient prior to Chapter 42.

**(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. All adjacent land has proper frontage as required the ordinance. Current ROW and street pattern has been sufficient prior to Chapter 42.

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

The granting of the variance will not be injurious to the public health, safety or welfare. All adjacent land has proper frontage as required the ordinance. Current ROW and street pattern has been sufficient prior to Chapter 42.





# 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](http://www.houstontx.gov)

April 21, 2020

## NOTICE OF VARIANCE REQUEST

**PROJECT NAME:** Houston Texas Fire Fighters Federal Credit Union North

**REFERENCE NUMBER:** 2020-0630

**VAR**

Dear Property Owner:

The Planning and Development Department has received a subdivision plat application with a variance request for a property located north of I 10, west of Yale 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.

Windrose, the applicant, has filed the request on behalf of the developer of the subject site. The applicant is requesting a variance to not extend nor terminate with a cul-de-sac and not to dedicate (Right of Way) R.O.W. to Bonover Street that stubs directly into the subject property. 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. This item is currently being scheduled for consideration at a

### Virtual Planning Commission Meeting

**Thursday, April 30, 2020, at 2:30 p.m.**

Due to the COVID 19 emergency, and the Mayor's directives on social distancing and limits on public gatherings, The Planning Commission will hold a video conference via Microsoft Teams. The video conference will allow for a two-way video/ audio communication with Houston Planning Commission. To join the meeting, visit our website:

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You may also submit comments or sign up as speakers in the following ways:

Council Members: Amy Peck Jerry Davis Abbie Kamin Carolyn Evans-Shabazz Dave Martin Tiffany Thomas Greg Travis Karla Cisneros  
Robert Gallegos Edward Pollard Martha Castex-Tatum Mike Knox David W. Robinson Michael Kubosh Letitia Plummer Sallie Alcorn  
Controller: Chris B. Brown

1. Send email to: [speakercomments.pc@houstontx.gov](mailto:speakercomments.pc@houstontx.gov),

Please submit written comments or sign up as speakers at least 24 hours in advance of the meeting, so staff may compile them in order of the agenda items. These will be read into the record but may be summarized by staff if they are especially lengthy or duplicative of other comments. ALL comments submitted will be made part of the meeting record. Speakers who signed up to speak will be allowed to make their comments during the meeting.

2. Call the Planning Department at: 832-393-6624. A staff member will take your comments. Your comments will be read into the record and made part of the meeting record.

For additional information regarding this project, please call Carlos G. Espinoza y Sánchez at 310-854-9220. You may also contact Homero Guajardo Alegria with the Planning and Development Department regarding this notice via email at [planning.variances@houstontx.gov](mailto:planning.variances@houstontx.gov) or call (832)393-6600. To view the complete Planning Commission meeting agenda, go to [www.houstonplanning.com](http://www.houstonplanning.com). Information on the reverse side of this page explains more about the terminology used in this letter.

THE PLAT MAY BE DEFERRED. THE NEW DATE FOR COMMISSION ACTION WILL BE INDICATED ON THE POSTED SIGN(S) THE MONDAY 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.

## 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

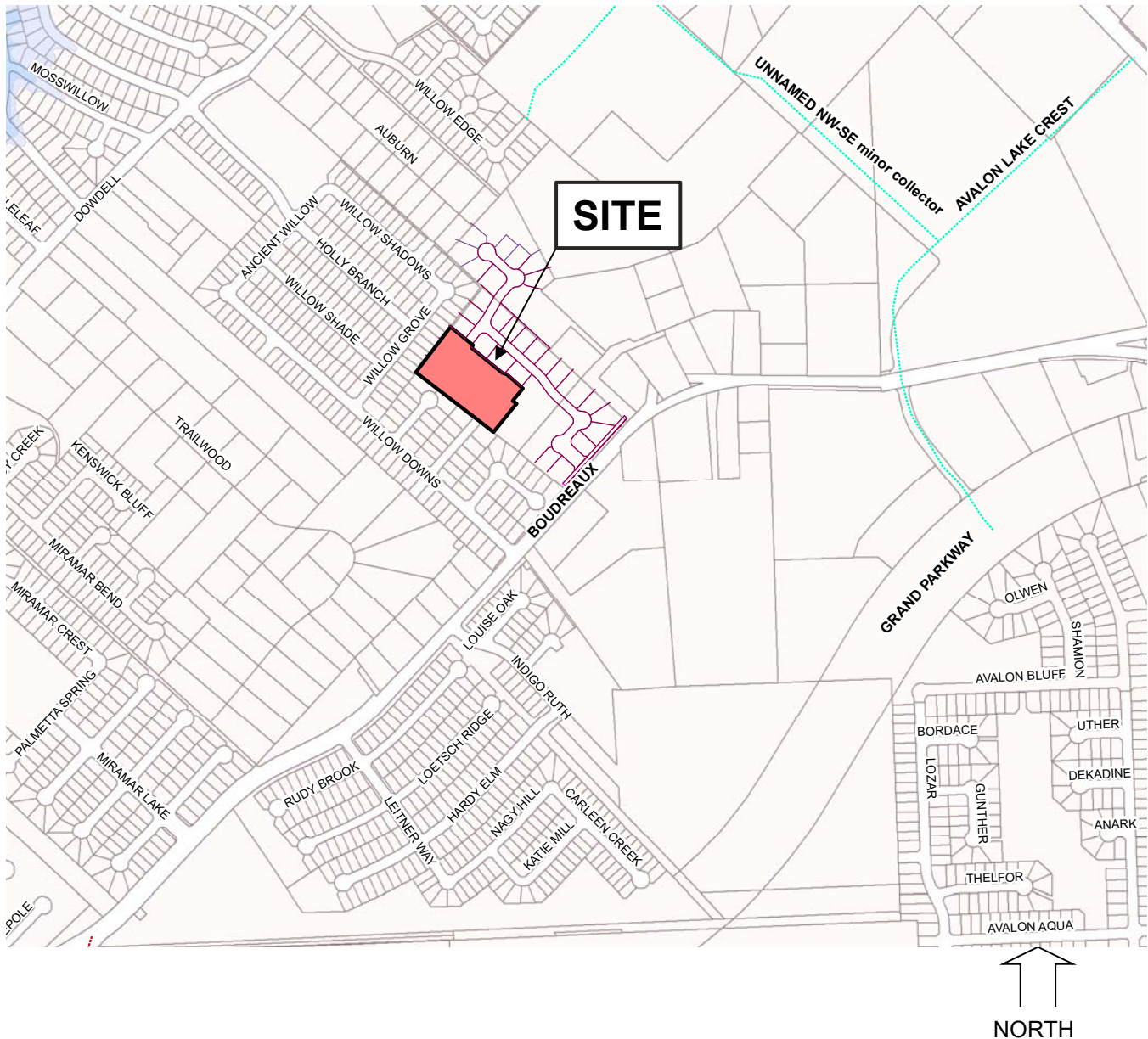
ITEM: 109

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Oakview Farms Sec 2

Applicant: Provident



D – Variances

Site Location



# Houston Planning Commission

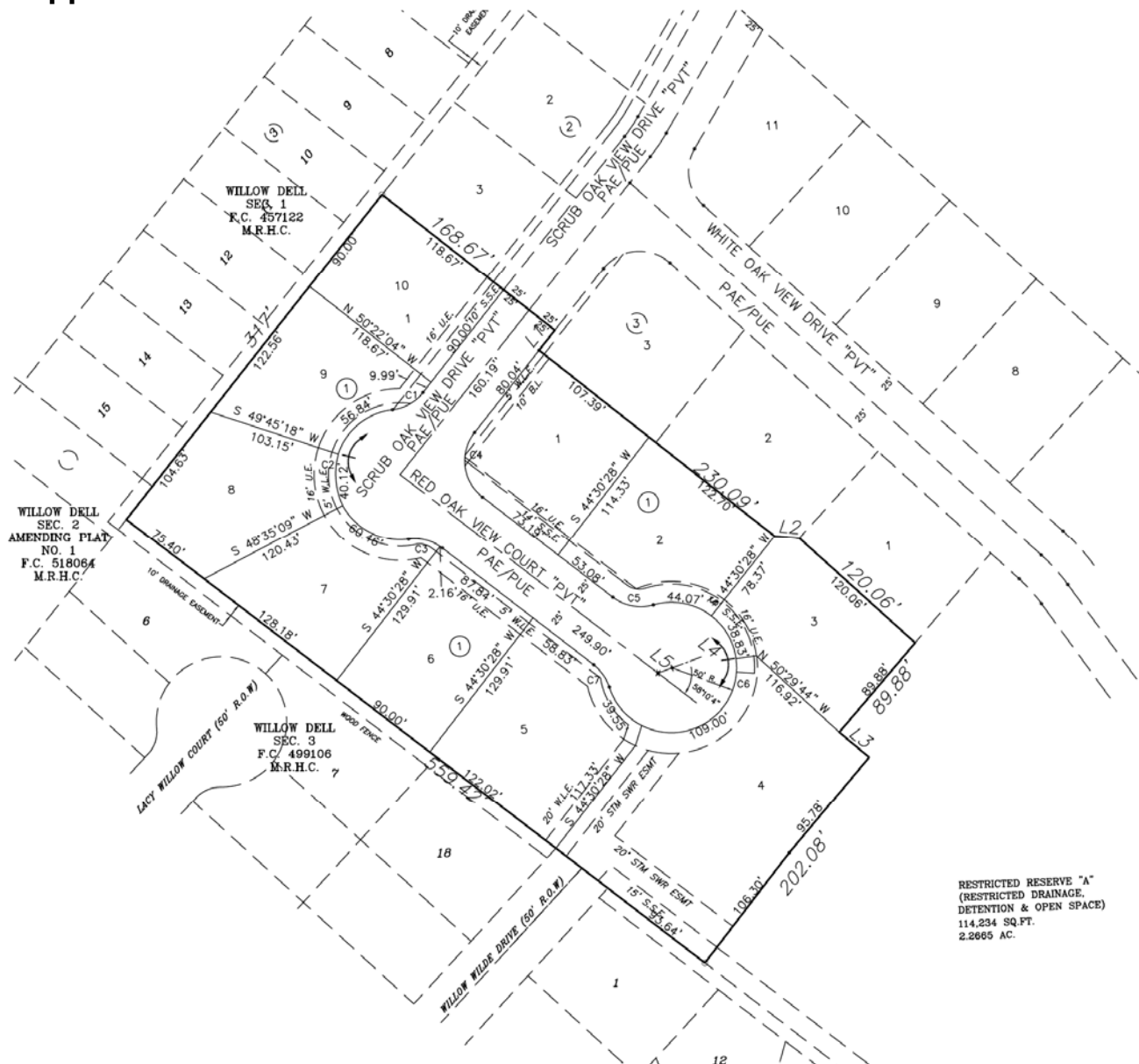
## ITEM: 109

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Oakview Farms Sec 2

Applicant: Provident



D – Variances

Subdivision

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# Houston Planning Commission

## ITEM: 109

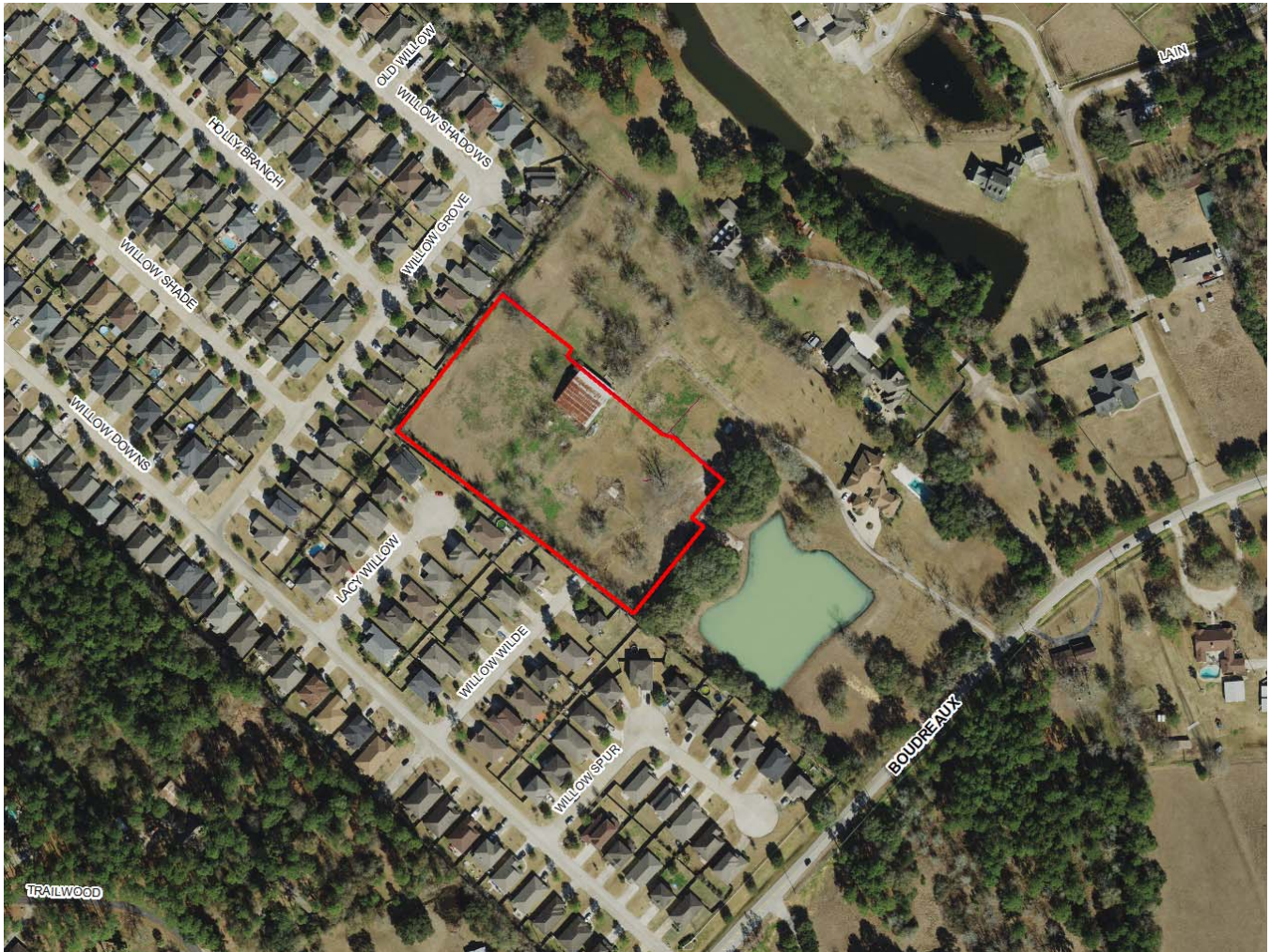
Planning and Development Department

Meeting Date: 05/28/2020

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**Subdivision Name: Oakview Farms Sec 2**

**Applicant: Provident**



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**D – Variances**

**Aerial**

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## PLANNING & DEVELOPMENT DEPARTMENT

## APPLICANT'S Variance Request Form

**Application Number:** 2020-0788

**Plat Name:** Oakview Farms Sec 2

**Applicant:** Provident

**Date Submitted:** 05/15/2020

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:**

42-135(A)(1) To not require the extension of a street and to not extend a standard 50' rad. Cul-de-sac -turn-around. 42-128(a) (1) To allow maximum intersection spacing to exceed 1400'

**Chapter 42 Section: 47 and 81**

**Chapter 42 Reference:**

42-135(A)(1) 128(a)(1)

### 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**

Oakview Farms Sec 1 is a subdivision of 26 lots and two drainage reserves in Northern Harris County north of Boudreaux Road and south of Dowdell Road near Kuykendahl. The proposed subdivision abuts Willow Dell Sec 1 and Sec 3 on the western boundary. Willow Wilde Drive stubs into the proposed Oakview Farms Sec 1. The plat proposes leaving Willow Wilde Dr. as a stub out street at the boundary of Oakview Farms Sec. 2 The area will be fenced off with a 6' high property fence. Boudreaux Road and Dowdell Road are the two east/west arterials that provide vehicle circulation for the area. The imposition of the terms and conditions to require Willow Wilde Drive (dedicated in Willow Dell Sec 3) would create an undue hardship because the property needs the 4.46 acres of land for detention and open space to allow for good drainage. The resulting open fields could provide an amenity for neighbors who like the green spaces that would be developed.

**(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;**

Strict application of the rules requiring that the street stub be extended and that the 1400' block length be met would make this project infeasible because it would require Willow Wild Drive to be extended through a proposed drainage reserve which is needed for detention within the area. Additional ROW would lessen the amount of open space being provided and would not be practical. There are two single-family homes of Lain Road that would make a future connection to an east/west street unlikely.

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

Willow Dell Sec 1 and 3 abut the proposed plat to the west and there are some acreage tracts to the east that have single family homes that were created without the benefit of subdivision platting. The distance between Boudreaux and Dowdell to the north and south is approximately 2900' in length. This is a small development that is only yielding 26 lots due to drainage requirements and the location of the property. Each lot will be about 12,000 square feet and will be a nice addition of larger single-family lots to the overall area. The circumstances supporting the granting of the variance is due to existing conditions of the area. Lain Road curves northward from Boudreaux and heads east and becomes a north/south street eventually. Lain Road curves at a 90 degree angle where it abuts the east end of our proposed plat (it is labeled as a 60' County Road). The existing nature of Lain Road (curvature) would make a street connection difficult.

**(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 this developer is actually solving one current problem that is facing the residents of Willow Dell Sec 3 (home owners on Willow Wild Drive). On Willow Wilde Drive the street stubs into the proposed plat without a turn-around. The street currently has a fence or barricade and therefore visitors must either u-turn on the street or back into someone's driveway to turn around and head out of the subdivision. The property owner of Oakview Farms Sec 1 is proposing a standard 50' rad. Cul-de-sac around (that will not be accessible to the residents of Oakview Farms Sec 1) for the residents that live on Willow Wild Drive. The intent and general purposes of this chapter will be preserved and maintained if the Planning Commission grants the variance to exceed 1400' block length along the west and eastern boundaries of the proposed plats because it allows for a small development to utilize the property for its best use which is single-family and detention. Additionally, an east/west street would be difficult because there are two single-family homes along Lain Road.

**(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 and safety to the area. While the proposed plat would exceed the 1400' in block length allowed the residents of Willow Wilde Drive to continue to enjoy there current development. The granting of the variance to not extend the street will not be injurious to public health and welfare because both subdivisions have adequate vehicle circulation. Both variances will allow for this proposed development to offer good drainage and open space options for the residents.

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

Economic hardship is not the justification for the variances. The existing conditions of the area make the variance a necessity. There are two single-family homes that would block an east/west extension of Willow Wilde Drive to Lain Street. The unusual path and curvature of Lain Street makes it unlikely that the road could have a connection. The variance would allow for a nice development that would have good drainage and open space for residents.



# Houston Planning Commission

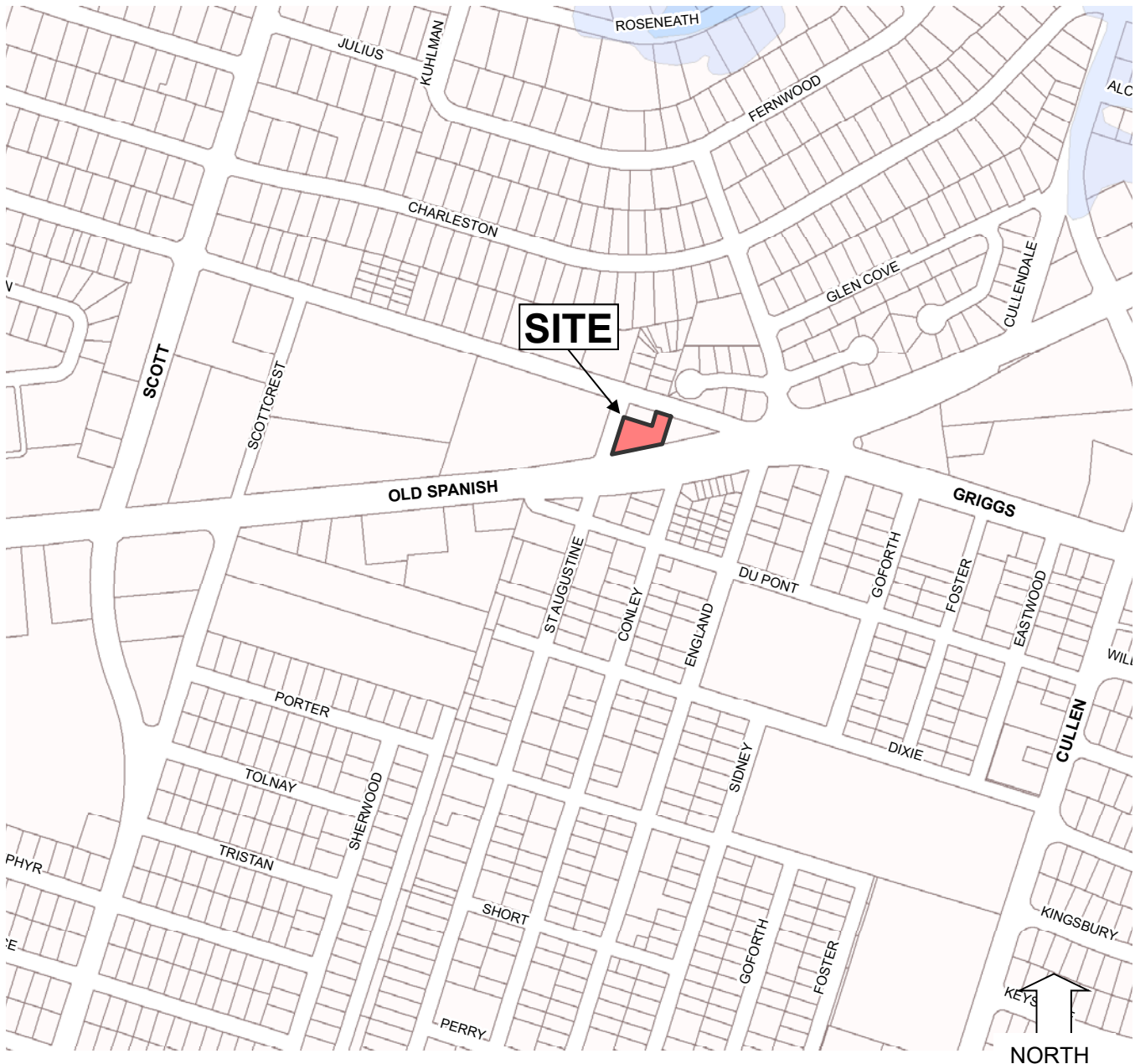
**ITEM: 110**

Planning and Development Department

Meeting Date: 05/28/2020

**Subdivision Name: Paloma Estates (DEF 1)**

**Applicant: Owens Management Systems, LLC**



**D – Variances**

**Site Location**

# Houston Planning Commission

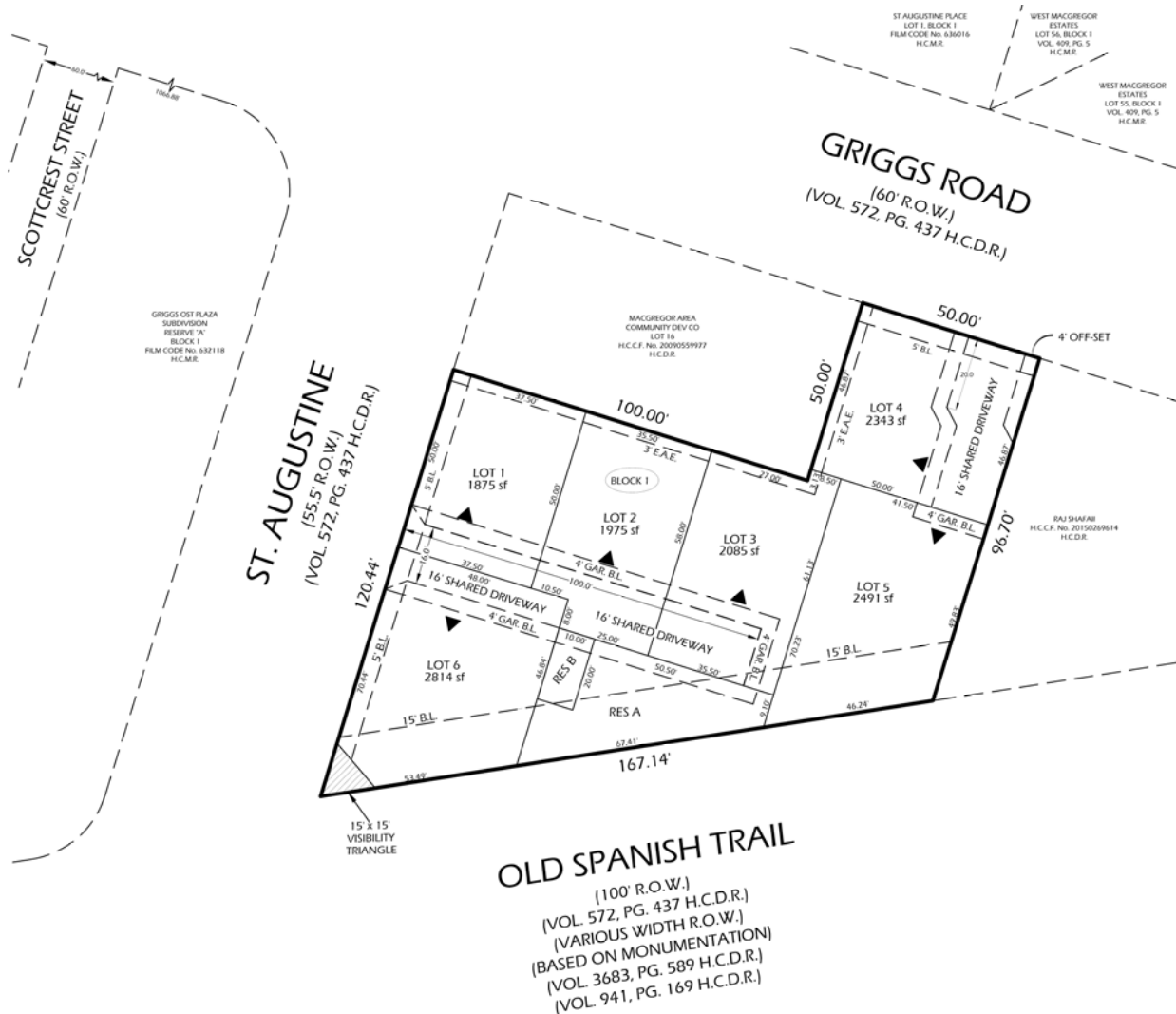
# ITEM: 110

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Paloma Estates (DEF 1)

Applicant: Owens Management Systems, LLC



RESERVE TABLE

RESERVE NO.	USE	SIZE
A	OPEN SPACE	1250 SF/0.0287 AC
B	GUEST PARKING	200 SF/0.0046 AC

BELMONT ADDITION NO. 2  
LOT 16, BLOCK 1  
VOL. 572, PG. 437  
H.C.D.R.

BELMONT ADDITION NO. 2  
LOT 6, BLOCK 1  
VOL. 572, PG. 437  
H.C.D.R.



## D – Variances

## Subdivision

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# Houston Planning Commission

## ITEM: 110

Planning and Development Department

Meeting Date: 05/28/2020

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Subdivision Name: Paloma Estates (DEF 1)

Applicant: Owens Management Systems, LLC



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**D – Variances**

**Aerial**

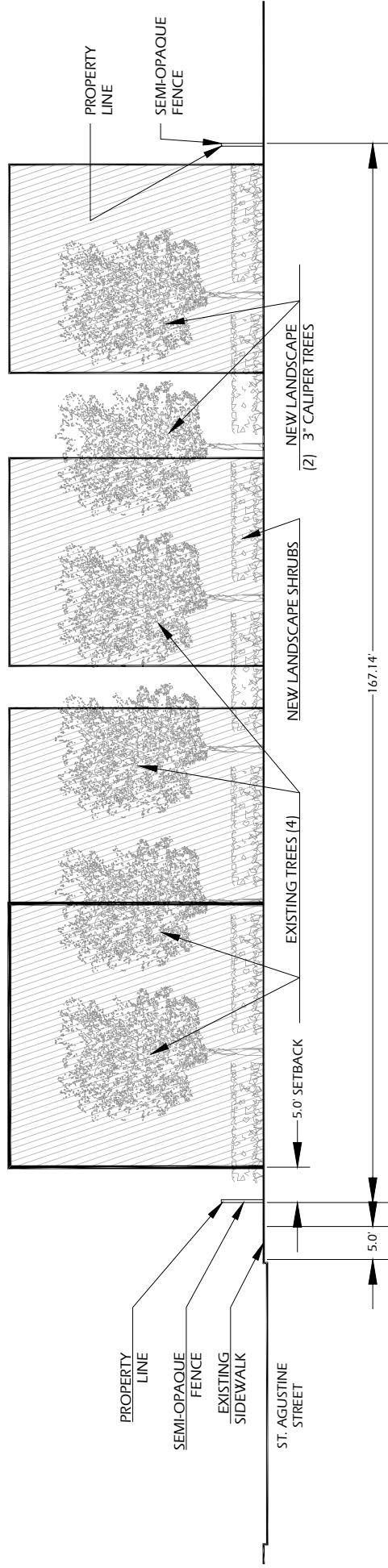
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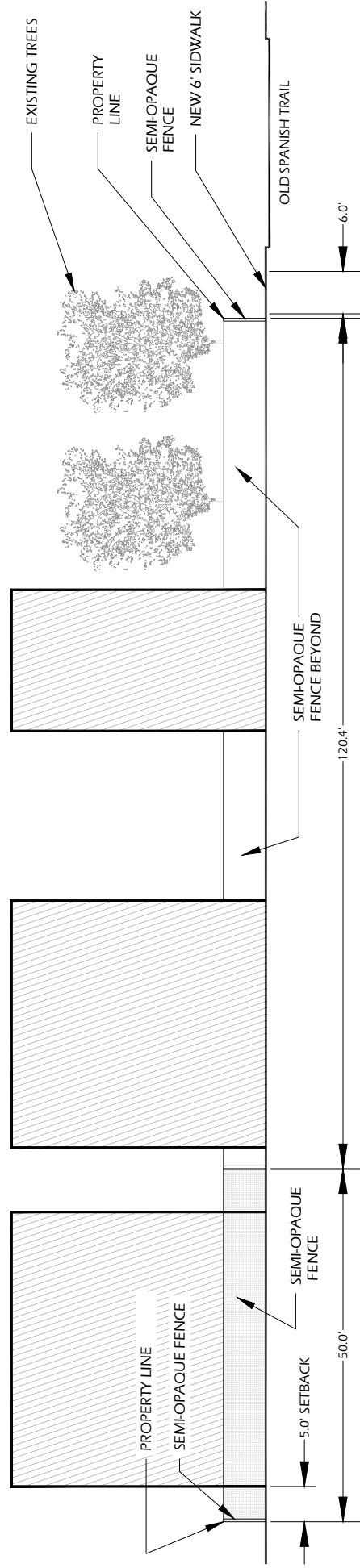


- ① 16' SHARED DRIVEWAY
- ② CURB
- ③ NEW 6' SIDEWALK
- ④ PROPERTY LINE
- ⑤ SEMI-OPAQUE FENCE
- ⑥ EXISTING SIDEWALK
- ⑦ EXISTING BACK OF CURB
- ⑧ NEW LANDSCAPE (2) 3" CALIPER TREES
- ⑨ LANDSCAPE - SHRUBS
- ⑩ EXISTING TREES (4)





PROFILE OF OLD SPANISH TRAIL 2



PROFILE OF ST. AUGUSTINE STREET 1

# A2.0 ELEVATIONS



**Application Number:** 2020-0450

**Plat Name:** Paloma Estates

**Applicant:** Owens Management Systems, LLC

**Date Submitted:** 03/09/2020

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:**

A variance is sought to allow a 15' building line along a major thoroughfare Old Spanish Trail.

**Chapter 42 Section:** 152

**Chapter 42 Reference:**

Sec. 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.

### 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 subject development is out of Block 1 in the Belmont Sec 2 platted in 1925. It is located on the north side of Old Spanish Trail (OST), east of St. Augustine and south of Griggs Road. Per Belmont Sec 2, OST was originally dedicated at 100' railroad. The ROW is curved along this section of OST creating non-conforming lots. OST is currently 100' ROW with 24.9' paved section, curb and gutter. There are both residential and commercial developments along OST. St. Augustine is a 55.5' ROW with 40.9' paved section and 5' sidewalk. Griggs Road is a 60' ROW with 45.0' paved section and 6' sidewalk. Both streets have curb and gutter. The owner is proposing to construct 6 townhouses, 3 story, approximately 2000 sf. Four lots take access via shared driveway from St. Augustine and two lots take access via shared driveway from Griggs Road.

**(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;**

Lots 3, 13 & 14 are remnant lots. Per Vol 941, Page 169 HCDR, City of Houston acquired a strip of land 3,850 sf out of lots 13 & 14 in 1933. Per Vol 3683, Page 589, City of Houston acquired a triangle parcel, 323 sf, out of lots 3, 13 & 14 in 1959. Due to the ROW configuration, a 25' building line will take approximately one-third of the property.

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

The distance from the back of curb to the property line is 12.3' near west plat boundary and 12.6' near the east plat boundary. A 15' building line will create an average 27.45' from the back of curb.

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

There is no vehicular access to Old Spanish Trail. Vehicles will take access from St. Augustine and Griggs Road. The development will include a semi-opaque fence along OST and improved 6-foot sidewalk. There are 4 existing ROW

trees along OST. An additional 2 trees and shrubs will create a landscape buffer to enhance the pedestrian experience. The 15' x 15' visibility triangle complies with Chapter 42.

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

Economic hardship is not the sole justification of the variance. City of Houston acquired 4,173 sf of the original lots. The 15' building line is characteristic of existing townhome developments on OST. Ritz at West McGregor Estates on the south side of OST was granted a 15' building line variance in 2007.



# 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](http://www.houstontx.gov)

May 6, 2020

## NOTICE OF VARIANCE REQUEST

**PROJECT NAME:** Paloma Estates  
**REFERENCE NUMBER:** 2020-0450

**VAR**

Dear Property Owner:

The Planning and Development Department has received a subdivision plat application with a variance request for a property northeast intersection of St. Augustine Street and Old Spanish Trail. 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.

Owens Management, the applicant, has filed the request on behalf of the developer of the subject site. The applicant is requesting variance to establish a 15' building line along Old Spanish Trail as opposed to the required 25'. Enclosed are copies of the variance request and the proposed subdivision plat 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.

### Virtual Planning Commission Meeting

**Thursday, May 14, 2020, at 2:30 p.m.**

Due to the COVID 19 emergency, and the Mayor's directives on social distancing and limits on public gatherings, The Planning Commission will hold a video conference via Microsoft Teams. The video conference will allow for a two-way video/ audio communication with Houston Planning Commission. To join the meeting, visit our website:

[www.houstonplanning.com](http://www.houstonplanning.com)

You may also submit comments or sign up as speakers in the following ways:

Council Members: Amy Peck Jerry Davis Abbie Kamin Carolyn Evans-Shabazz Dave Martin Tiffany Thomas Greg Travis Karla Cisneros  
Robert Gallegos Edward Pollard Martha Castex-Tatum Mike Knox David W. Robinson Michael Kubosh Letitia Plummer Sallie Alcorn  
Controller: Chris B. Brown



1. Send email to: [speakercomments.pc@houstontx.gov](mailto:speakercomments.pc@houstontx.gov),

Please submit written comments or sign up as speakers at least 24 hours in advance of the meeting, so staff may compile them in order of the agenda items. These will be read into the record but may be summarized by staff if they are especially lengthy or duplicative of other comments. ALL comments submitted will be made part of the meeting record. Speakers who signed up to speak will be allowed to make their comments during the meeting.

2. Call the Planning Department at: 832-393-6624. A staff member will take your comments. Your comments will be read into the record and made part of the meeting record.

For additional information regarding this project, please call Joyce Owens with Owens Management Systems, LLC. at 713-643-6333. You may also contact Devin Crittle with the Planning and Development Department regarding this notice via email at [planning.variances@houstontx.gov](mailto:planning.variances@houstontx.gov) or call (832)393-6600. To view the complete Planning Commission meeting agenda, go to [www.houstonplanning.com](http://www.houstonplanning.com). Information on the reverse side of this page explains more about the terminology used in this letter.

THE PLAT MAY BE DEFERRED. THE NEW DATE FOR COMMISSION ACTION WILL BE INDICATED ON THE POSTED SIGN(S) THE MONDAY 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.

## **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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# Houston Planning Commission

**ITEM: 111**

Planning and Development Department

Meeting Date: 05/28/2020

**Subdivision Name: West Ontario Management LLC**

**Applicant: Advance Surveying, Inc.**



**D – Variances**

**Site Location**

# Houston Planning Commission

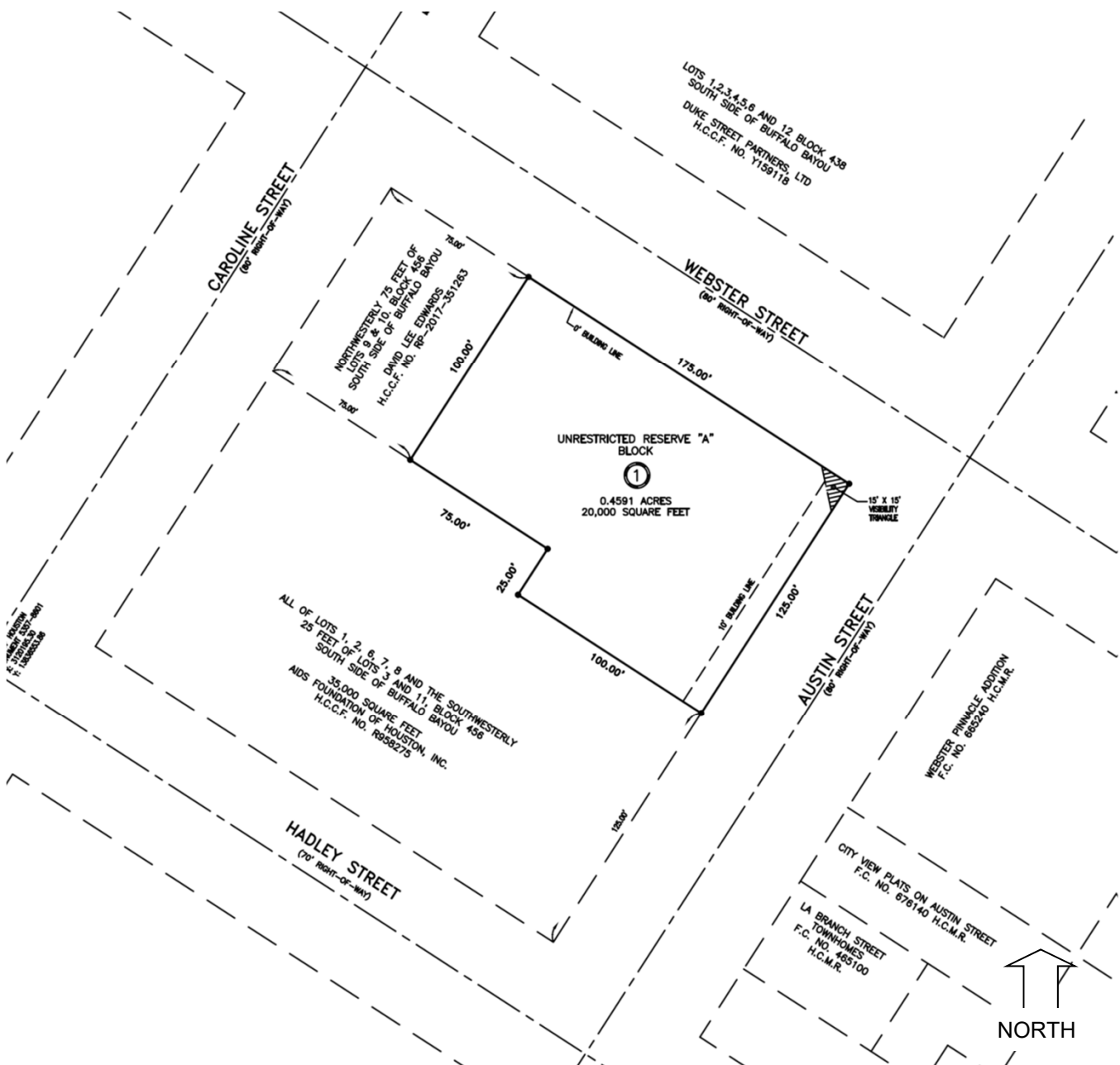
# ITEM: 111

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: West Ontario Management LLC

Applicant: Advance Surveying, Inc.



**D – Variances**

**Subdivision**



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# Houston Planning Commission

# ITEM: 111

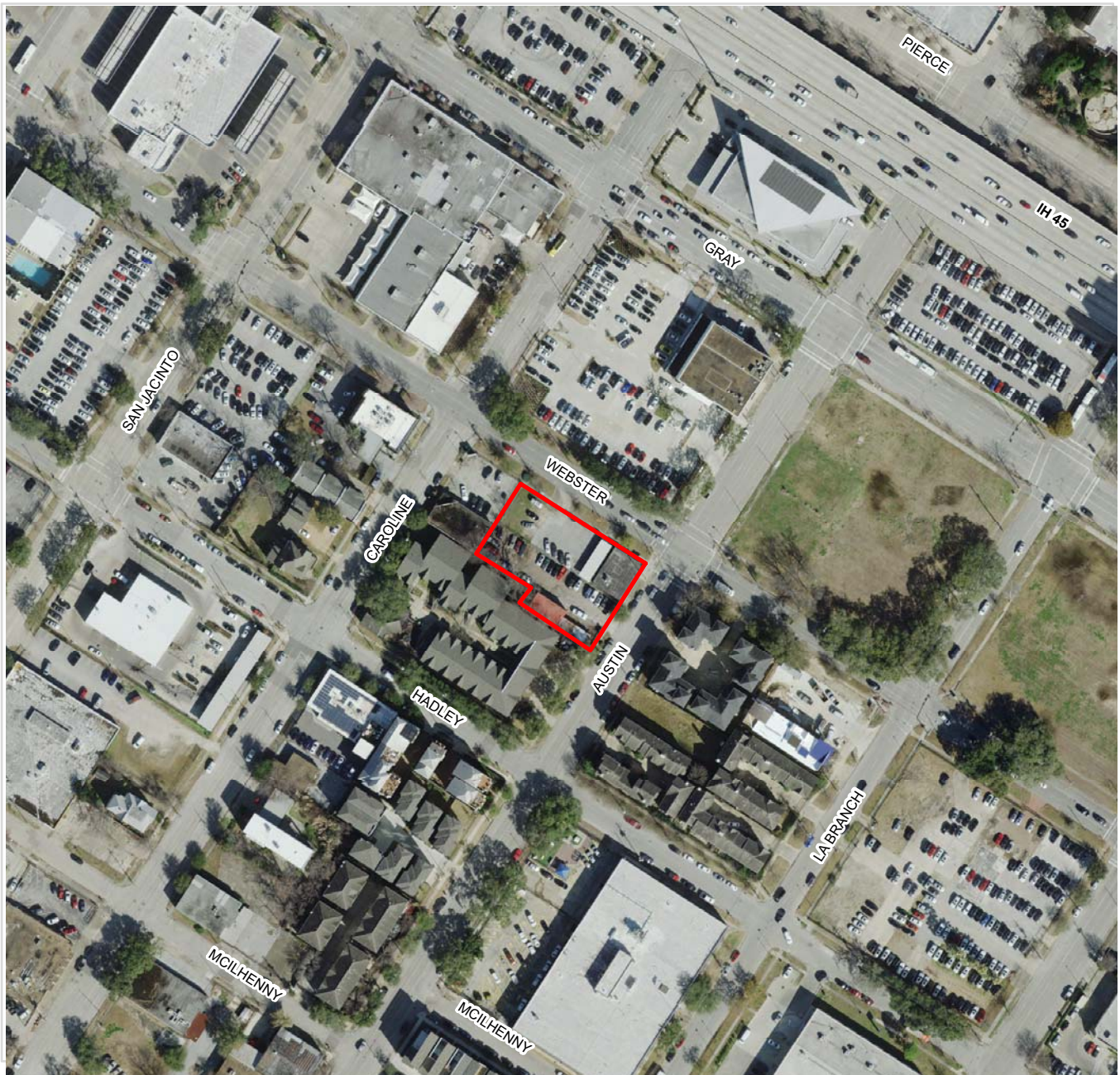
Planning and Development Department

Meeting Date: 05/28/2020

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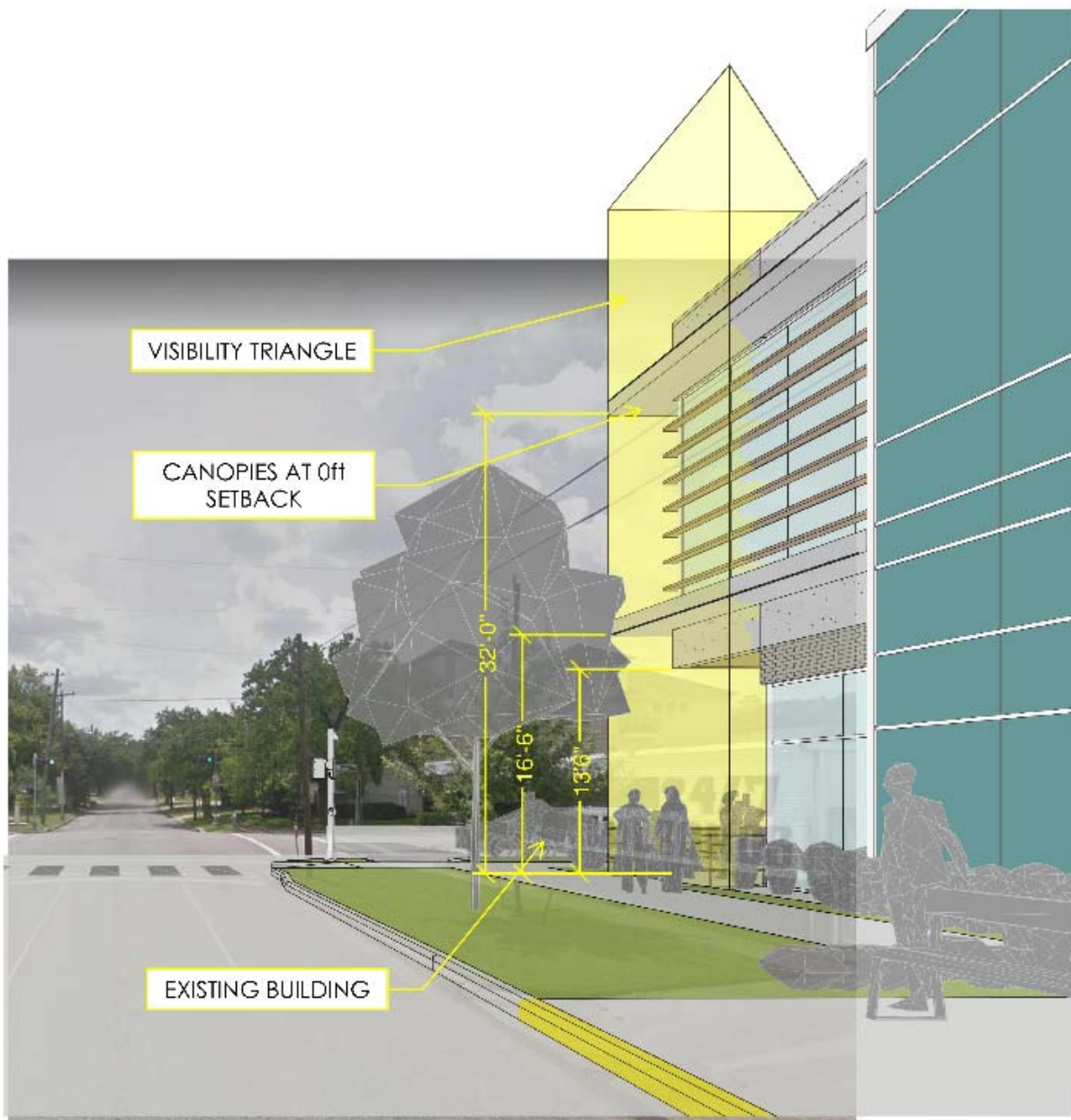


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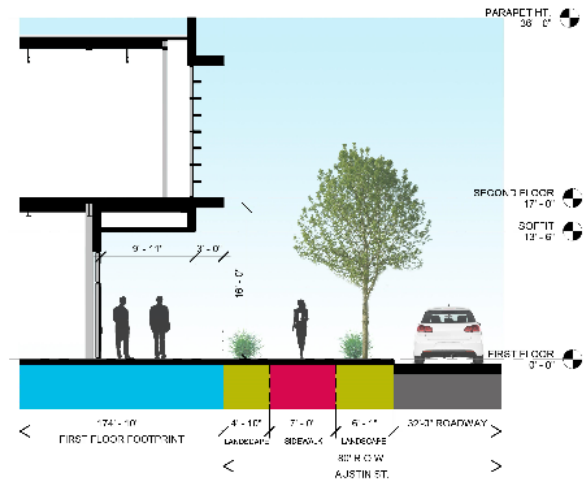
**D – Variances**

**Aerial**

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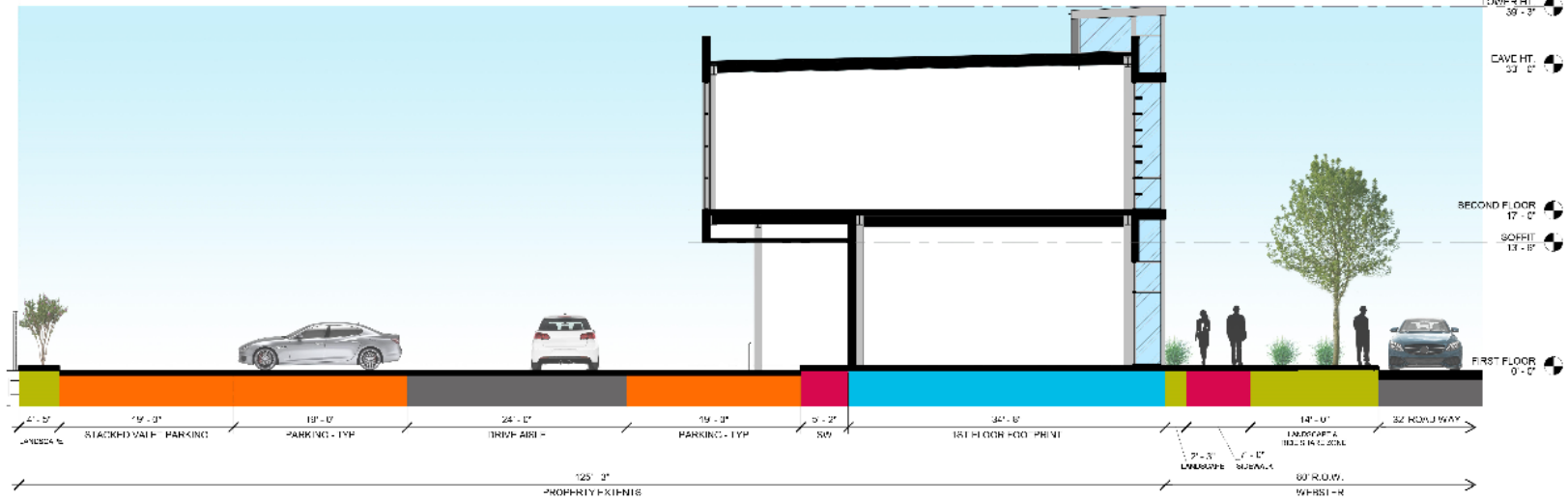


VARIANCE SECTION - AUSTIN ST

1/8" = 1'-0"

2

PL



VARIANCE SECTION - WEBSTER

1/8" = 1'-0"

1

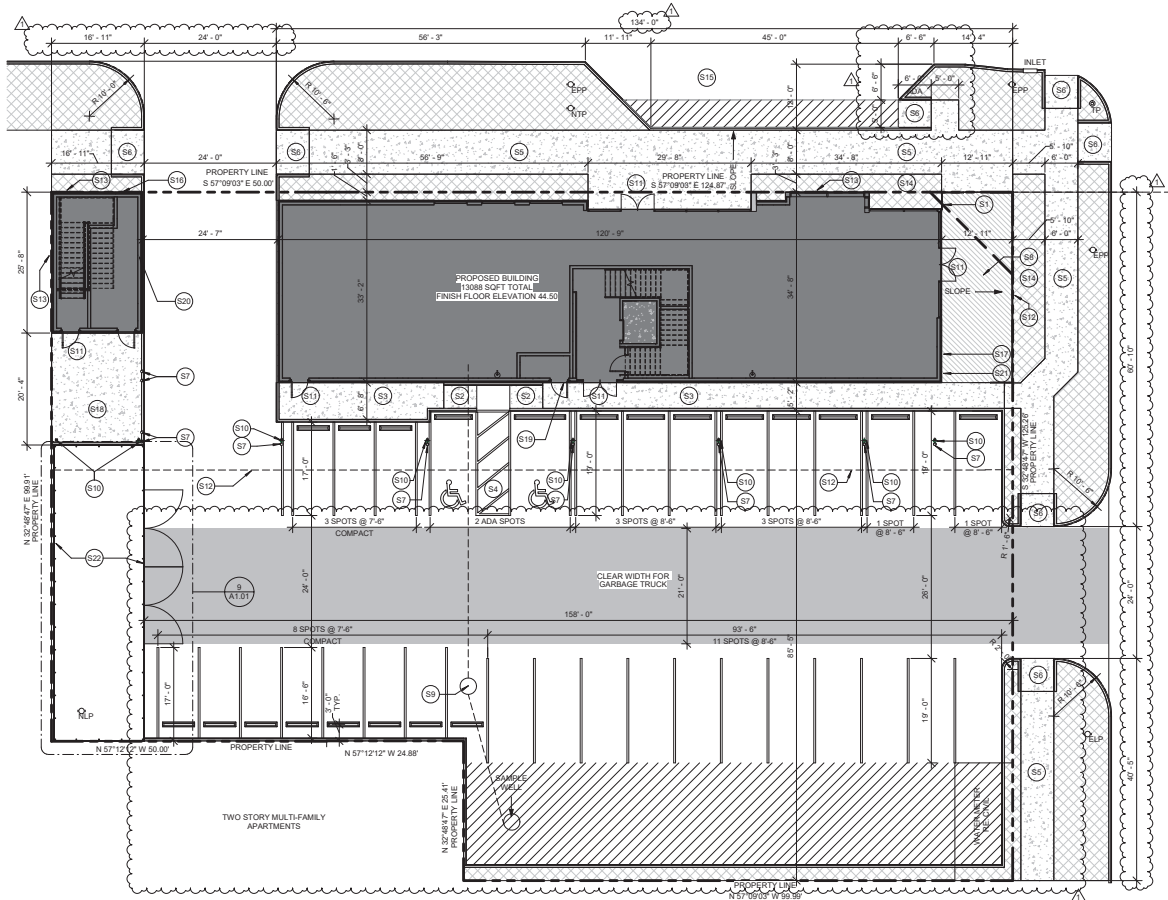


WEBSTER AVENUE  
(80' R.O.W.)

AUSTIN STREET  
(80' R.O.W.)

ARCHITECTURAL SITE PLAN 1

3/32" = 1'-0"



PARKING NOT REQUIRED PER CITY OF HOUSTON ORDINANCE

CITY OF HOUSTON ORDINANCE  
PER SECTION 26-471 - BUILDINGS OR TRACTS WITHIN THE MARKET-BASED PARKING  
AREA EXCEPT THAT DIVISION 2 OF THIS ARTICLE SHALL NOT APPLY TO BUILDINGS OR  
TRACTS WITHIN THE MARKET-BASED PARKING AREA, PARKING COUNTS PROVIDED TO  
SHOW COMPLIANCE WITH ACCESSIBILITY REQUIREMENTS FOR THE SPACES PROVIDED

PARKING COUNTS			
TOTAL	TOTAL SPACES	ADA SPACES REQUIRED	ADA SPACES PROVIDED
	32 PROVIDED	25-50 = 2 REQUIRED	2

KEYNOTES - SITE PLAN

#	NOTE
S1	15' x 15' VISIBILITY TRIANGLE
S2	PROVIDE TASADA COMPLIANT PRIVATE CURB RAMP WITH 1:12 SLOPE AND DETECTABLE WARNING
S3	PROVIDE PRIVATE CONCRETE SIDEWALK WITH CONTROL JOINTS AT 4'-0" O.C. (TYP.) - RE: CIVIL
S4	PROVIDE PAINTED STRIPED TRAVEL PATH AS SHOWN - STRIPING 4" WIDE EACH AT 45 DEGREES - 12" SPACES BETWEEN STRIPES
S5	PROVIDE CONCRETE SIDEWALK PER CON DETAIL 02775-01 - (TYP.) - RE: CIVIL
S6	PROVIDE TASADA COMPLIANT PUBLIC CURB RAMP WITH 1:12 SLOPE AND DETECTABLE WARNING
S7	4" DIAMETER PIPE BOLLARD - RE: 4/A1.01
S8	3/4" DEPRESSION IN SLAB INDICATED BY HATCH
S9	GREASE TRAP LOCATION, STUD AND CAP AT BUILDING - RE: PLUMBING
S10	PREFINISHED DOWNSPOUT
S11	SLOPE PAVING AWAY FROM DOOR ENTRANCE - RE: 6/A1.01
S12	ROOF LINE ABOVE
S13	BUILDING ON PROPERTY LINE
S14	0' BUILDING LINE SETBACK PER IN-PROGRESS VARIANCE
S15	PROPOSED VALET / RIDE SHARE ZONE
S16	FIRE DEPARTMENT CONNECTION WITH WALL INDICATOR VALVE - RE: PLUMBING
S17	WALL HYDRANT - RE: PLUMBING
S18	WIRE KICK PARKING BY SUBMITTAL
S19	ELECTRICAL SERVICE POINT OF ENTRY
S20	FIRE AND WATER POINT OF ENTRY
S21	SANITARY POINT OF ENTRY - RE: CIVIL
S22	PROVIDE NEW 8'-0" TALL ALUMINUM PLANK DUMPSTER ENCLOSURE AT NOTED LOCATION - RE: 9/A1.01

SITE PLAN LEGEND

INLET	STORM INLET - RE: CIVIL
TP	EXISTING TRAFFIC POLE - RE: CIVIL
EPP	EXISTING POWER POLE - RE: CIVIL
NTP	NEW TRANSFORMER POLE - RE: CIVIL
ELP	EXISTING LIGHT POLE - RE: CIVIL
NLP	NEW LIGHT POLE - RE: CIVIL

SYMBOL LEGEND - SITE

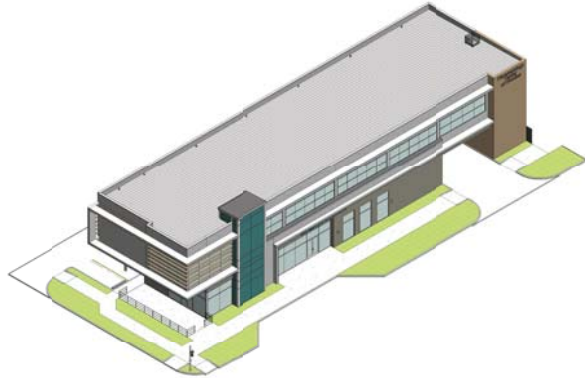
R1 = 1'-0" RADIUS	R10 = 10'-0" RADIUS	R20 = 20'-0" RADIUS
R2 = 2'-0" RADIUS	R15 = 15'-0" RADIUS	R30 = 30'-0" RADIUS
R3 = 3'-0" RADIUS	R25 = 25'-0" RADIUS	R40 = 40'-0" RADIUS
R4 = 4'-0" RADIUS	R35 = 35'-0" RADIUS	

CONCRETE PAVING	SIDEWALK AREA	LANDSCAPED AREA
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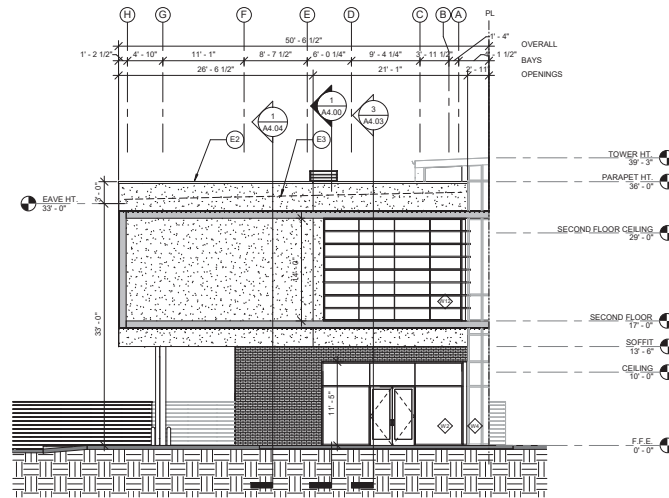
GENERAL NOTES - SITE

REFER TO BOUNDARY SURVEY TO ESTABLISH PROPERTY LINES AND EASEMENTS  
REFER TO GEOTECHNICAL INVESTIGATION REPORT FOR PAVING SUBGRADE  
REFER TO CIVIL DRAWINGS FOR SITE GRADING/DRAINAGE AND DRIVEWAY AND  
DETENTION DETAILS  
ACCESSIBLE PARKING SPACES SHALL NOT EXCEED 1:50 SLOPE IN ANY DIRECTION  
ACCESSIBLE ROUTES FROM PARKING TO BUILDING SHALL NOT EXCEED 1:20 SLOPE  
NO CROSS SLOPES SHALL EXCEED 1:50 (2.0% SLOPE) OR 1/4" PER FOOT IN ANY LOCATION





AXO - NORTHEAST 15



EAST ELEVATION 7  
1/8" = 1'-0"

#	NOTE
E1	PROVIDE REVEALS WHERE SHOWN; TYP.
E2	CONTINUOUS METAL PARAPET CAP
E3	ROOF LINE BEYOND
E4	2" DIAMETER PIPS BOLLARD - RE: A4.01
E5	PREFINISHED DOWNSPOUT
E6	PAINTED COLUMNS

#### GENERAL NOTES

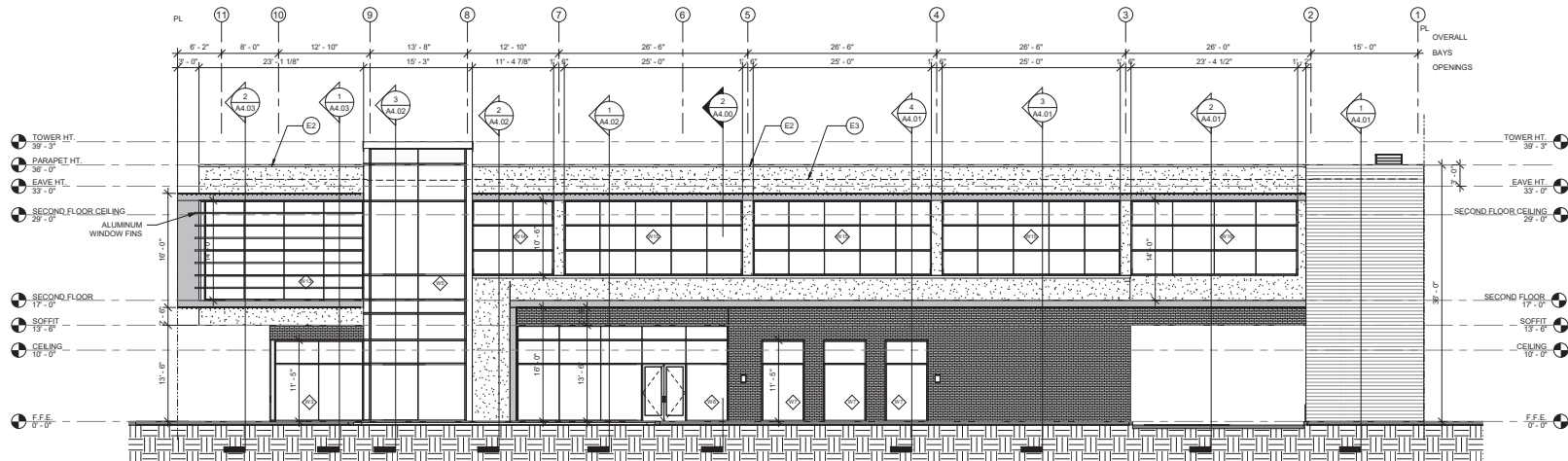
- ALL EXPOSED STEEL AND STEEL WITHIN UN-CONDITIONED CLADDING OR WHERE SUBJECT TO MOISTURE SHALL BE HOT-DIPPED GALVANIZED. REFER TO STRUCTURAL STEEL GENERAL NOTES, SHEET S0.02 ITEM D.
- COORDINATE WITH ARCHITECTURAL FINISH SCHEDULE FOR APPLICABLE FINISH SELECTION.

#### FINISH SCHEDULE

PAINT 1: P-1	TBD
MTL-1	ALUCOBOND - COLOR TBD
MTL-2	LONGBOARD ALUM. SIDING - COLOR TBD
BRICK	THINSET VENEER - COLOR AND MANF. TBD
STOREFRONT SYSTEM	CLEAR ANODIZED
GLASS: G-1	1" LOW E INSULATED GLASS UNIT - CLEAR
GLASS: G-2	1" LOW E INSULATED GLASS UNIT - FRIT

#### WALL MATERIAL LEGEND

	METAL PANEL: MTL-1
	METAL PANEL: MTL-2
	STUCCO: P-1
	BRICK



NORTH ELEVATION 1  
1/8" = 1'-0"



## PLANNING & DEVELOPMENT DEPARTMENT

## APPLICANT'S Variance Request Form

**Application Number:** 2020-0815

**Plat Name:** West Ontario Management LLC

**Applicant:** Advance Surveying, Inc.

**Date Submitted:** 05/18/2020

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:**

Specific variance is being sought and extent of condition is to allow an encroachment into the building line along Lawrence Street for Lot 9.

**Chapter 42 Section:** 155

**Chapter 42 Reference:**

Collector and Local Street – Use for other than Single-Family- 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;**

West Ontario Management LLC is located in Midtown with the Northeast corner of the block bounded by Webster Avenue and Austin Street. We are proposing a new, two-story mix-use commercial building fronting Webster Avenue and Austin Street. The existing building was constructed over the property line along Austin Street and obstructing the visibility triangle required per City of Houston Ordinances. We are proposing that the new building be allowed to maintain the zero-lot line of the existing conditions of the site and to improve the current visibility triangle at Webster Avenue and Austin Street. Having the proposed building set back from the right-of-way, does little if anything to serve the public interest. Our intent is to create a new commercial building that will comply and conform to the architectural nature of the existing and surrounding buildings. At the same time, we desire to uphold the pedestrian-friendly nature of this site. We have not sought to gain our building permit or construction plans as we are awaiting your response to this Variance Request. Please consider the approval of this request in the interest of creating a beautiful, street facing elevation and maintaining the pedestrian-friendly nature of the Midtown neighborhood. 2204 Austin Street is classified as a commercial parcel. Our intent is to propose a new two-story mix-use commercial building. The building set back requirement does not support either, A) the construction of a mix-use commercial building with the required square footage, or B) an aesthetically pleasing design on the street facing façade. The current building set back lines are not harmonious with the surrounding structures facing Webster Avenue and Austin Street, many of which are constructed on or near the property line. A commercial office building set back 10' would almost be an anomaly in the rapidly urbanizing area.

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

The circumstance supporting the granting of the variance is not the result of a hardship created or imposed by the developer, who did not originally construct the building. The hardship is caused by the evolution of Houston's development regulations that have adapted to the suburbanization of the City over the last several decades. Regulating Midtown similarly to suburban areas provides unique challenges, many of which result in undue hardships that deprive property owners of reasonable uses of land appropriate for urban environments. Granting this variance would conform to sound planning principles and allow us to develop our property consistent with the conditions in which we acquired it. We have not created any conditions that result in hardship of the kind that deprive developer of the reasonable use of our land.

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

The proposed development furthers sound planning principles and would create a pleasing building façade appropriate for Midtown's urban landscape, a mix of pedestrian and vehicular traffic. The result will be an orderly development that preserves and maintains the intent and general purposes of the City's development ordinances.

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

Because the footprint of the proposed mix-use commercial building will be within the property line, the variance will not obstruct sight lines at the intersection or impede traffic for pedestrians, the mobility impaired, cyclists, and motor vehicles as the encroachment into the triangle is at the upper floor, 13'-6" above grade. The proposed building would improve the visibility since the existing building is fully encroach in the visibility triangle and outside the property line. Therefore, the granting of this variance will not be injurious to the public health, safety, and welfare. The majority of nearby structures encroach into Chapter 42 building lines, either by virtue of the condition of their pre-existing construction or because of variances granted by the Houston Planning Commission. The proposed mix-use commercial building would not create new hazards or sources of injury to the public. The granting of our request would allow us to conform to property boundary lines and visibility triangle.

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

In this case, the owner is entitled to improve the property in providing services for the community in Midtown. The intent of the design in this case, furthers sound planning principles and maintains and harmonizes with the urban character of the existing landscape. To deny the variance would result in some financial loss to the owner, but the denial would also promote nonconforming architecture and an aesthetically unpleasant street façade in Midtown. Therefore, there are several non-economic reasons to grant the variance request. We respectfully ask the City of Houston to allow our requested Variance.



## PLANNING & DEVELOPMENT DEPARTMENT

## APPLICANT'S Variance Request Form

**Application Number:** 2020-0815

**Plat Name:** West Ontario Management LLC

**Applicant:** Advance Surveying, Inc.

**Date Submitted:** 05/18/2020

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:**

Specific variance is being sought and extent of condition is to allow an encroachment into visibility triangle.

**Chapter 42 Section: 161**

**Chapter 42 Reference:**

Visibility Triangle- The building line for property adjacent to two intersecting streets shall not encroach any visibility triangle, the triangular area adjacent to the intersection of any street established by measuring a distance of 15 feet from the point of intersection of two streets along the right-of-way of each of the intersecting streets and connecting the ends of each measured distance, to assure adequate visibility sight lines for vehicular traffic approaching the intersection. The maximum height of the visibility triangle shall be 20 feet as measured vertically from the ground.

### 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;**

West Ontario Management LLC is located in Midtown with the Northeast corner of the block bounded by Webster Avenue and Austin Street. We are proposing a new, two-story mix-use commercial building fronting Webster Avenue and Austin Street. The existing building was constructed over the property line along Austin Street and obstructing the visibility triangle required per City of Houston Ordinances. We are proposing that the new building be allowed to maintain the zero-lot line of the existing conditions of the site and to improve the current visibility triangle at Webster Avenue and Austin Street. Having the proposed building set back from the right-of-way, does little if anything to serve the public interest. Our intent is to create a new commercial building that will comply and conform to the architectural nature of the existing and surrounding buildings. At the same time, we desire to uphold the pedestrian-friendly nature of this site. We have not sought to gain our building permit or construction plans as we are awaiting your response to this Variance Request. Please consider the approval of this request in the interest of creating a beautiful, street facing elevation and maintaining the pedestrian-friendly nature of the Midtown neighborhood. 2204 Austin Street is classified as a commercial parcel. Our intent is to propose a new two-story mix-use commercial building. The building set back requirement does not support either, A) the construction of a mix-use commercial building with the required square footage, or B) an aesthetically pleasing design on the street facing façade. The current building set back lines are not harmonious with the surrounding structures facing Webster Avenue and Austin Street, many of which are constructed on or near the property line. A commercial office building set back 10' would almost be an anomaly in the rapidly urbanizing area.

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

The circumstance supporting the granting of the variance is not the result of a hardship created or imposed by the developer, who did not originally construct the building. The hardship is caused by the evolution of Houston's development regulations that have adapted to the suburbanization of the City over the last several decades. Regulating Midtown similarly to suburban areas provides unique challenges, many of which result in undue hardships that deprive property owners of reasonable uses of land appropriate for urban environments. Granting this variance would conform to sound planning principles and allow us to develop our property consistent with the conditions in which we acquired it. We



have not created any conditions that result in hardship of the kind that deprive developer of the reasonable use of our land.

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

The proposed development furthers sound planning principles and would create a pleasing building façade appropriate for Midtown's urban landscape, a mix of pedestrian and vehicular traffic. The result will be an orderly development that preserves and maintains the intent and general purposes of the City's development ordinances.

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

Because the footprint of the proposed mix-use commercial building will be within the property line, the variance will not obstruct sight lines at the intersection or impede traffic for pedestrians, the mobility impaired, cyclists, and motor vehicles as the encroachment into the triangle is at the upper floor, 13'-6" above grade. The proposed building would improve the visibility since the existing building is fully encroach in the visibility triangle and outside the property line. Therefore, the granting of this variance will not be injurious to the public health, safety, and welfare. The majority of nearby structures encroach into Chapter 42 building lines, either by virtue of the condition of their pre-existing construction or because of variances granted by the Houston Planning Commission. The proposed mix-use commercial building would not create new hazards or sources of injury to the public. The granting of our request would allow us to conform to property boundary lines and visibility triangle.

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

In this case, the owner is entitled to improve the property in providing services for the community in Midtown. The intent of the design in this case, furthers sound planning principles and maintains and harmonizes with the urban character of the existing landscape. To deny the variance would result in some financial loss to the owner, but the denial would also promote nonconforming architecture and an aesthetically unpleasant street façade in Midtown. Therefore, there are several non-economic reasons to grant the variance request. We respectfully ask the City of Houston to allow our requested Variance.



# 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](http://www.houstontx.gov)

May 21, 2020

## NOTICE OF VARIANCE REQUEST

**PROJECT NAME:** West Ontario Management LLC

**REFERENCE NUMBER:** 2020-0815



Dear Property Owner:

The Planning and Development Department has received a subdivision application with a variance request for a property located at the southwest intersection of Webster and Austin Streets. 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.

Advance Surveying, Inc., the applicant, has filed the request on behalf of the developer of the subject site. The applicant is requesting variances to plat a 0' building line along Webster Street as opposed to the required 10' and to provide a visibility triangle with 13.5' of clearance as opposed to the required 20'. 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. This item is currently being scheduled for consideration at a

### **Virtual Planning Commission Meeting**

**Thursday, May 28, 2020, at 2:30 p.m.**

Due to the COVID 19 emergency, and the Mayor's directives on social distancing and limits on public gatherings, The Planning Commission will hold a video conference via Microsoft Teams. The video conference will allow for a two-way video/ audio communication with Houston Planning Commission. To join the meeting, visit our website:

[www.houstonplanning.com](http://www.houstonplanning.com)

You may also submit comments or sign up as speakers in the following ways:

1. Send email to: [speakercomments.pc@houston.tx.gov](mailto:speakercomments.pc@houston.tx.gov),

Please submit written comments or sign up as speakers at least 24 hours in advance of the meeting, so staff may compile them in order of the agenda items. These will be read into the record but may be summarized by staff if they are especially lengthy or duplicative of other comments. ALL comments submitted will be made part of the meeting record. Speakers who signed up to speak will be allowed to make their comments during the meeting.

2. Call the Planning Department at: 832-393-6624. A staff member will take your comments. Your comments will be read into the record and made part of the meeting record.

For additional information regarding this project, please call **Josh Griffin of Advance Surveying, Inc.** at **281-530-2939**. You may also contact Geoff Butler with the Planning and Development Department regarding this notice via email at [planning.variances@houston.tx.gov](mailto:planning.variances@houston.tx.gov) or call (832)393-6600. To view the complete Planning Commission meeting agenda, go to [www.houstonplanning.com](http://www.houstonplanning.com). Information on the reverse side of this page explains more about the terminology used in this letter.

THE PLAT MAY BE DEFERRED. THE NEW DATE FOR COMMISSION ACTION WILL BE INDICATED ON THE POSTED SIGN(S) THE MONDAY 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.

## 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.



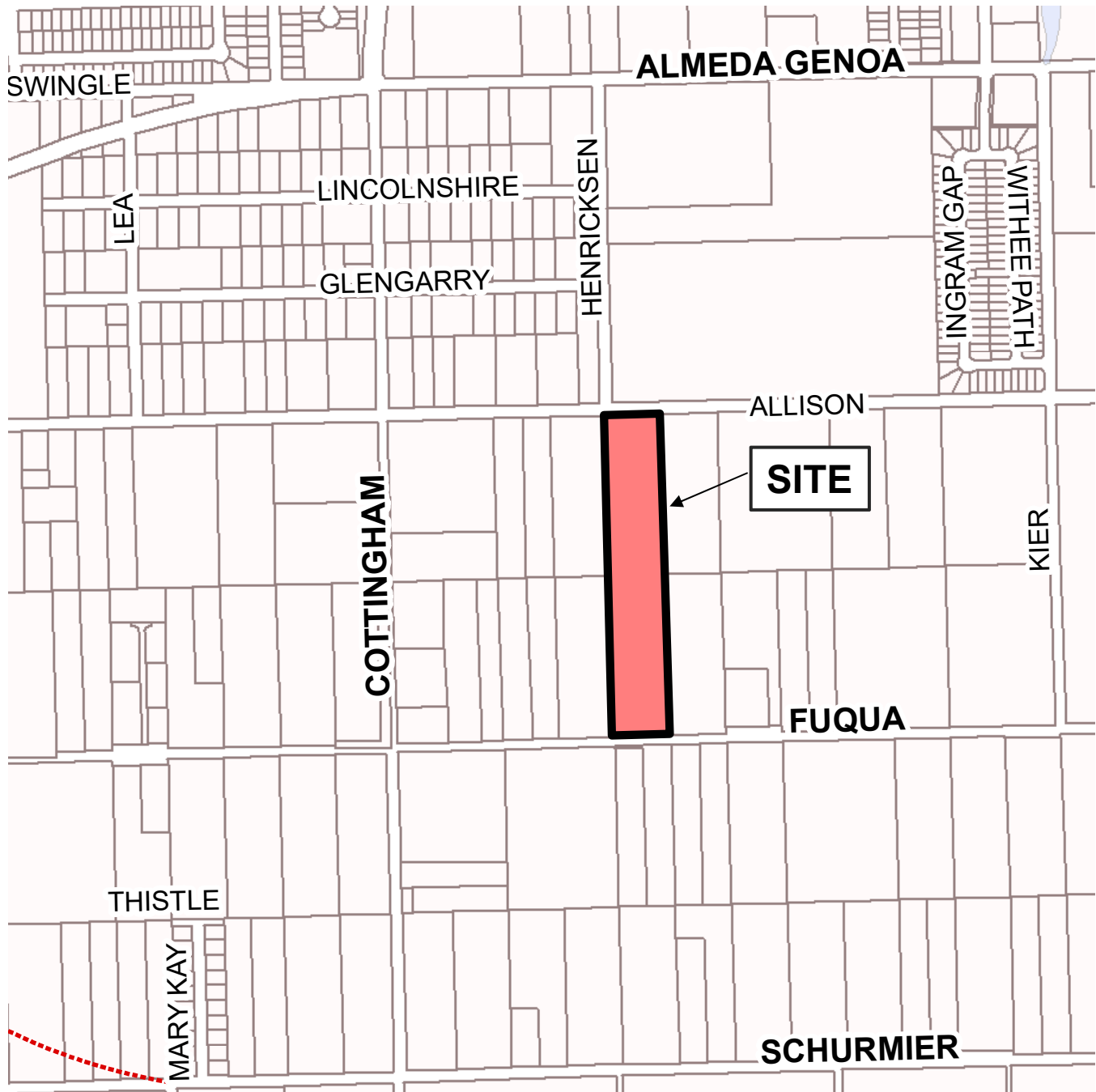
# Houston Planning Commission **ITEM: 112**

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Allison Park (DEF 1)

Applicant: Windrose



**F- Reconsideration of Requirements**

**Site Location**

# Houston Planning Commission

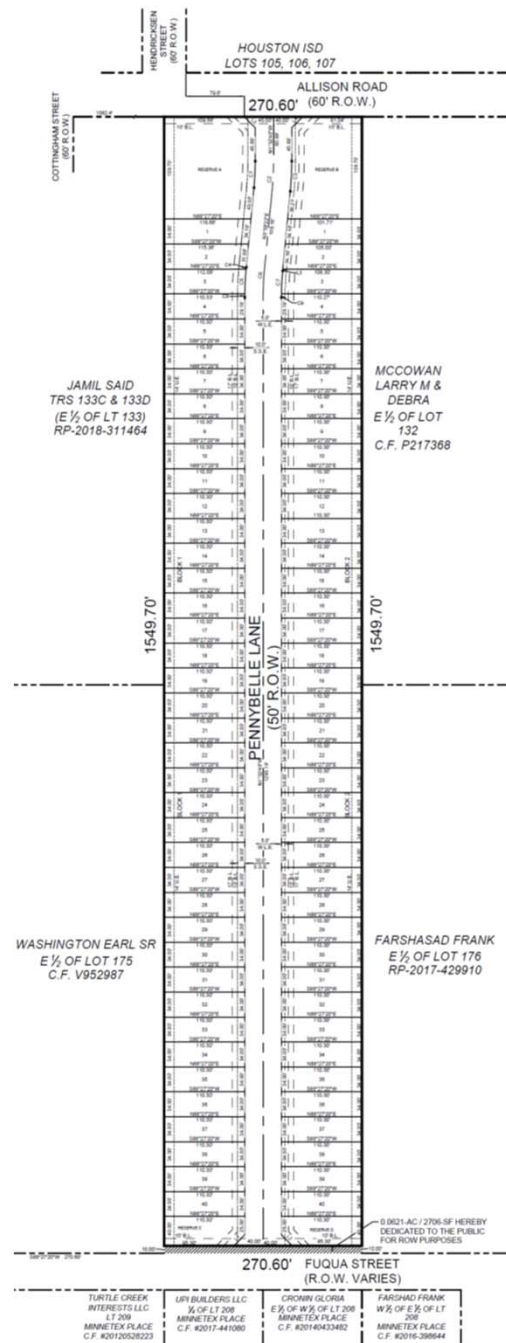
## ITEM: 112

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Allison Park (DEF 1)

Applicant: Windrose



### F- Reconsideration of Requirements

### Subdivision

# Houston Planning Commission

ITEM: 112

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Allison Park (DEF 1)

Applicant: Windrose



F- Reconsideration of Requirements

Aerial





**Application No:** 2020-0621  
**Plat Name:** Allison Park  
**Applicant:** Windrose  
**Date Submitted:** 04/06/2020

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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 dedicate east-west street required for intersection spacing.

**Chapter 42 Section: 128**

**Chapter 42 Reference:**

Sec. 42-128 "Intersections of local streets" paragraph (a)(1) states: (a) Each class III plat and each general plan that shows local streets shall provide for internal circulation by meeting either of the following requirements: (1) 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:**

See variance request.





**Application Number:** 2020-0621

**Plat Name:** Allison Park

**Applicant:** Windrose

**Date Submitted:** 04/06/2020

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 dedicate east-west street to meet intersection spacing requirements.

**Chapter 42 Section:** 128

**Chapter 42 Reference:**

Sec. 42-128 "Intersections of local streets" paragraph (a)(1) states: (a) Each class III plat and each general plan that shows local streets shall provide for internal circulation by meeting either of the following requirements: (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;**

The subject property is located on the north side of Fuqua Street approximately 1,050 feet east of the intersection with Cottingham Street. The applicant's project contains 80 single-family residential lots and a new 50-foot wide public street. Because the subdivision spans the entire 1,540-foot block between Fuqua Street on the south and Allison Road on the north, it exceeds the City's local street intersection spacing standards given that no new east-west street is proposed. Unusual physical characteristics affect this property and negate the need and ability to provide a new east-west street. The City's regulations contemplate a local street every 1,400 feet on average. The entire block between Fuqua and Allison is only 1,540 feet – just 140 feet away from compliance. Bisecting the applicant's site at 770 feet with a new public street is excessive and provides no public benefit. Further, the development pattern surrounding the subject property does not contemplate a mid-block street and extension to any significant extent beyond the subject property is not viable.

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

The unusual physical characteristics affecting the subject property are the justification for the variance, not a self-imposed hardship. Because Fuqua and Allison are only 1,540 feet apart, the subject property is extremely close to compliance. An additional public street mid-block would only be situated 770 feet between both roadways and would provide no public benefit. If a mid-block street was somehow required, extending it beyond Cottingham Street or Kier Road is not possible because of existing development conditions. Subdivisions to the west have not contemplated or dedicated the right-of-way necessary for a mid-block roadway. The buildings and detention ponds on the industrial properties east of Kier Road preclude any path for a new public street.

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

The applicant is requesting a variance to eliminate the requirement to dedicate an unnecessary and impractical east-west street. Fuqua and Allison are only 1,540 feet apart and requiring an additional roadway midblock under these conditions would be excessive. The existing street network is more than adequate to handle the current and future traffic generation without a mid-block roadway between Allison and Fuqua. If the City required the roadway for some reason, the possibility for extension beyond the immediate block have been negated. The general area is part of the original Minnetex Place subdivision recorded in Volume 2 of the Harris County Map Records. Several replats to the west have been filed without dedication of additional right-of-way between Allison and Fuqua. Extending to the east is also not feasible given the existing industrial facilities, including the US Lime Company location that has numerous large burrow pits. Without the variance, the City would force the applicant to dedicate unnecessary right-of-way and construct a street that provides no benefit to the public and no potential for extension beyond the immediate area.

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

The subject property and the surrounding area currently have more than adequate road network service to facilitate safe and efficient routine traffic and emergency vehicular access. Fuqua Street, Allison Road, Cottingham Street, and Kier Drive provide exceptional mobility for the area as the street system is within 200 feet of strict compliance with the ordinance. Forcing a dead-end east-west street through the site - one that has no potential for extension to Cullen Road to the west or S Wayside Rive to the east – would only create unnecessary right-of-way for the City to maintain and undermine the applicant's reasonable use of their land.

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

There is no viable path for a new east-west street given the unusual physical characteristics that affect the subject property. Extension beyond Kier Drive and Cottingham Street is not viable given existing development conditions. Most importantly, an additional east-west street is simply not needed for intersection spacing. The existing block between Fuqua Street and Allison Road is 1,540 feet – only 140 feet from strict compliance with the City's regulations. Adding an east-west street mid-block is unwarranted as it provides no enhancement to traffic mobility.



# 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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May 7, 2020

## NOTICE OF VARIANCE REQUEST

**PROJECT NAME:** Allison Park

**REFERENCE NUMBER:** 2020-0621

**ROR/VAR**

Dear Property Owner:

The Planning and Development Department has received a subdivision plat application with a variance request for a property located north of Fuqua Road, east of Cottingham Road, west of Kier Road and south of Allison Road. 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.

Windrose, the applicant, has filed the request on behalf of the developer of the subject site. The applicant is requesting a reconsideration of requirement with variance to not provide an east-west public street through the subject site. Enclosed are copies of the reconsideration of requirement, variance request and the proposed subdivision plat 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. This item is currently being scheduled for consideration at a

### **Virtual Planning Commission Meeting**

**Thursday, May 14, 2020, at 2:30 p.m.**

Due to the COVID 19 emergency, and the Mayor's directives on social distancing and limits on public gatherings, The Planning Commission will hold a video conference via Microsoft Teams. The video conference will allow for a two-way video/ audio communication with Houston Planning Commission. To join the meeting, visit our website:

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Please submit written comments or sign up as speakers at least 24 hours in advance of the meeting, so staff may compile them in order of the agenda items. These will be read into the record but may be summarized by staff if they are especially lengthy or duplicative of other comments. ALL comments submitted will be made part of the meeting record. Speakers who signed up to speak will be allowed to make their comments during the meeting.

2. Call the Planning Department at: 832-393-6624. A staff member will take your comments. Your comments will be read into the record and made part of the meeting record.

For additional information regarding this project, please Jeff Boutte with Windrose at 713-458-2281 Ext 1687. You may also contact Aracely Rodriguez with the Planning and Development Department regarding this notice via email at [planning.variances@houston.tx.gov](mailto:planning.variances@houston.tx.gov) or call (832)393-6600. To view the complete Planning Commission meeting agenda, go to [www.houstonplanning.com](http://www.houstonplanning.com). Information on the reverse side of this page explains more about the terminology used in this letter.

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



## **TERMINOLOGY**

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## **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.

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# Houston Planning Commission

# ITEM: 113

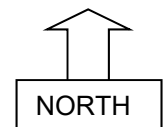
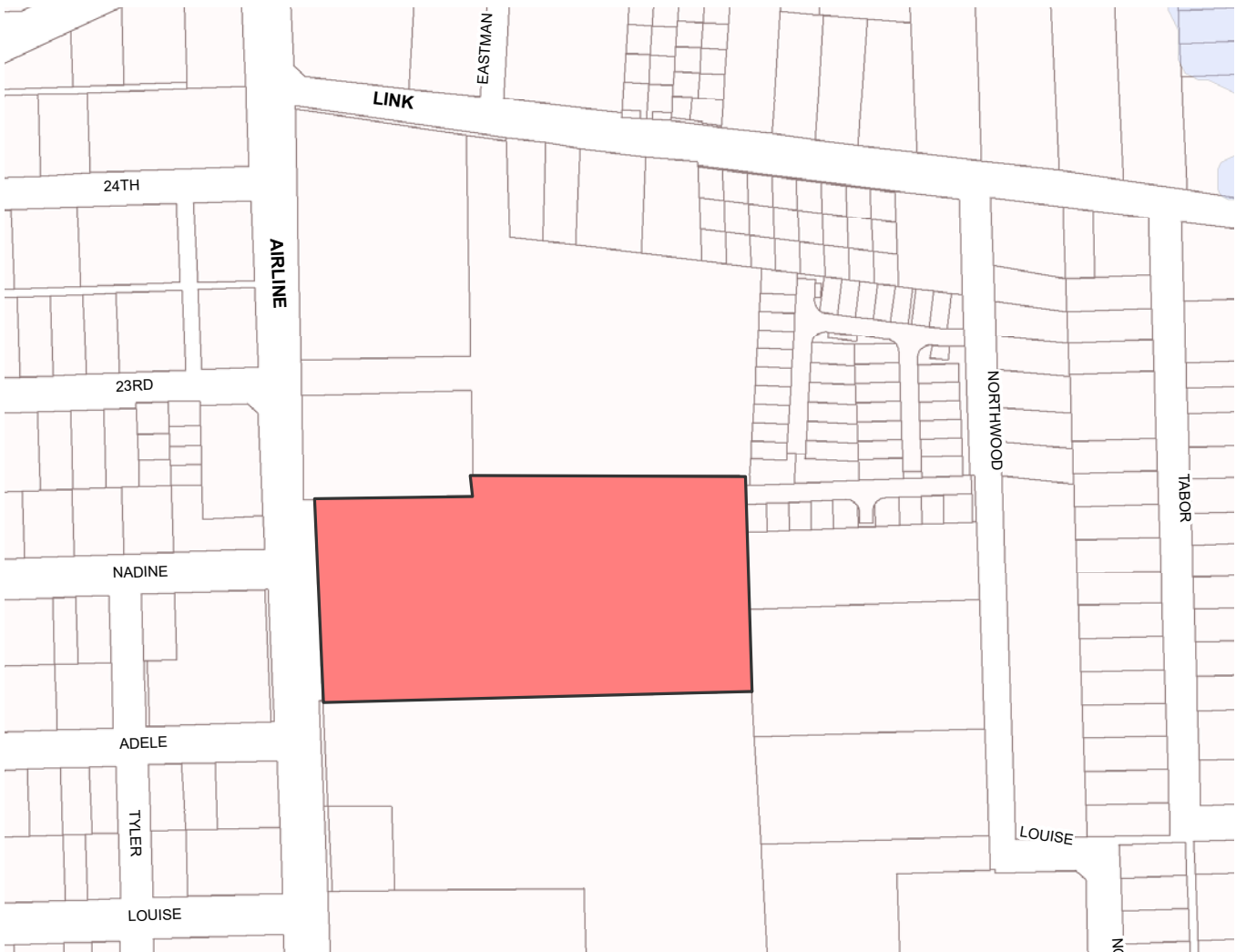
Planning and Development Department

Meeting Date: 05/28/2020

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**Subdivision Name: East Heights at Airline (DEF 2)**

**Applicant: Vernon G. Henry & Associates, Inc.**



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**F- Reconsideration of Requirements**

**Site Location**

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# Houston Planning Commission

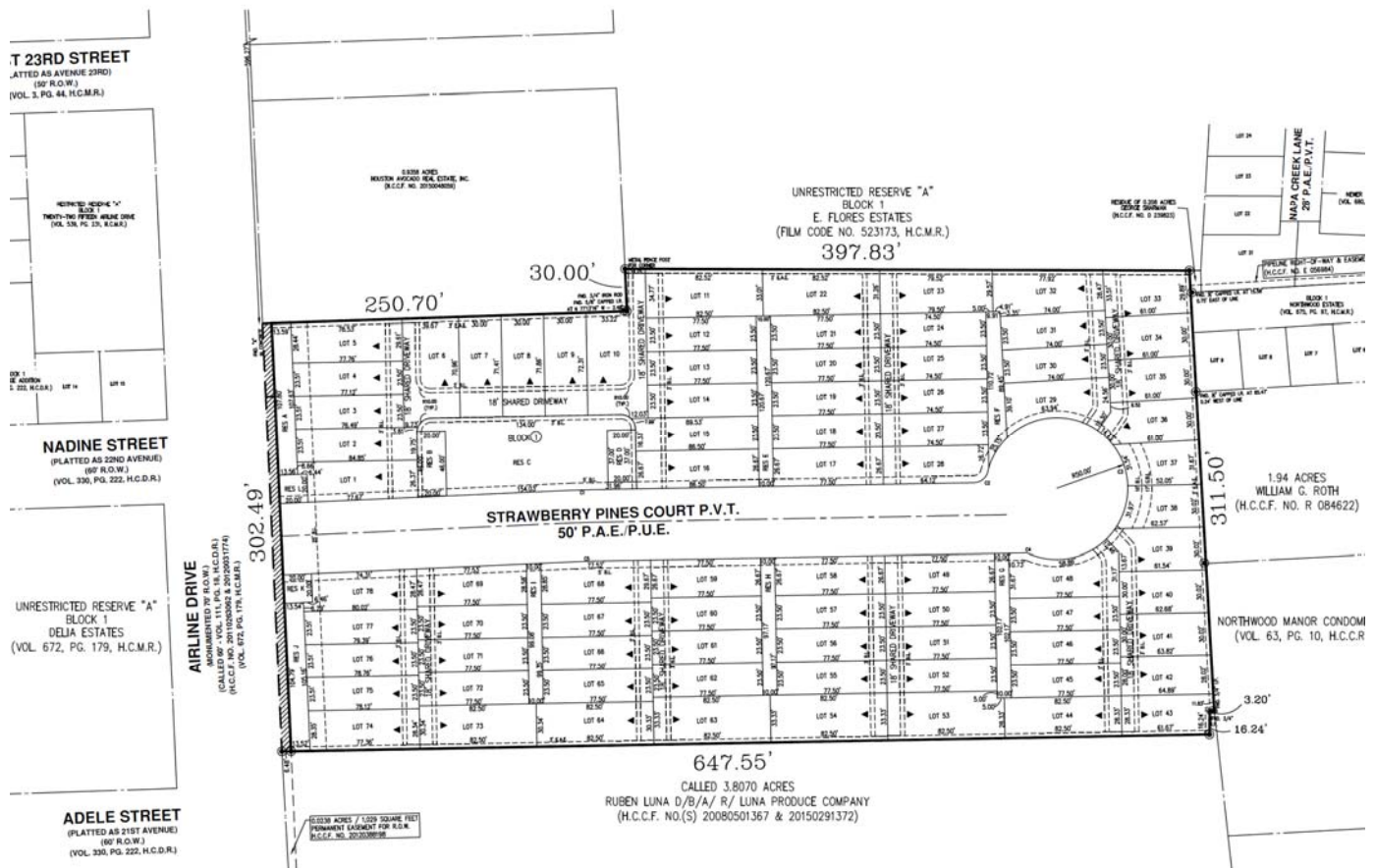
# ITEM: 113

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: East Heights at Airline (DEF 2)

Applicant: Vernon G. Henry & Associates, Inc.



F- Reconsideration of Requirements

Subdivision

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# Houston Planning Commission

## ITEM: 113

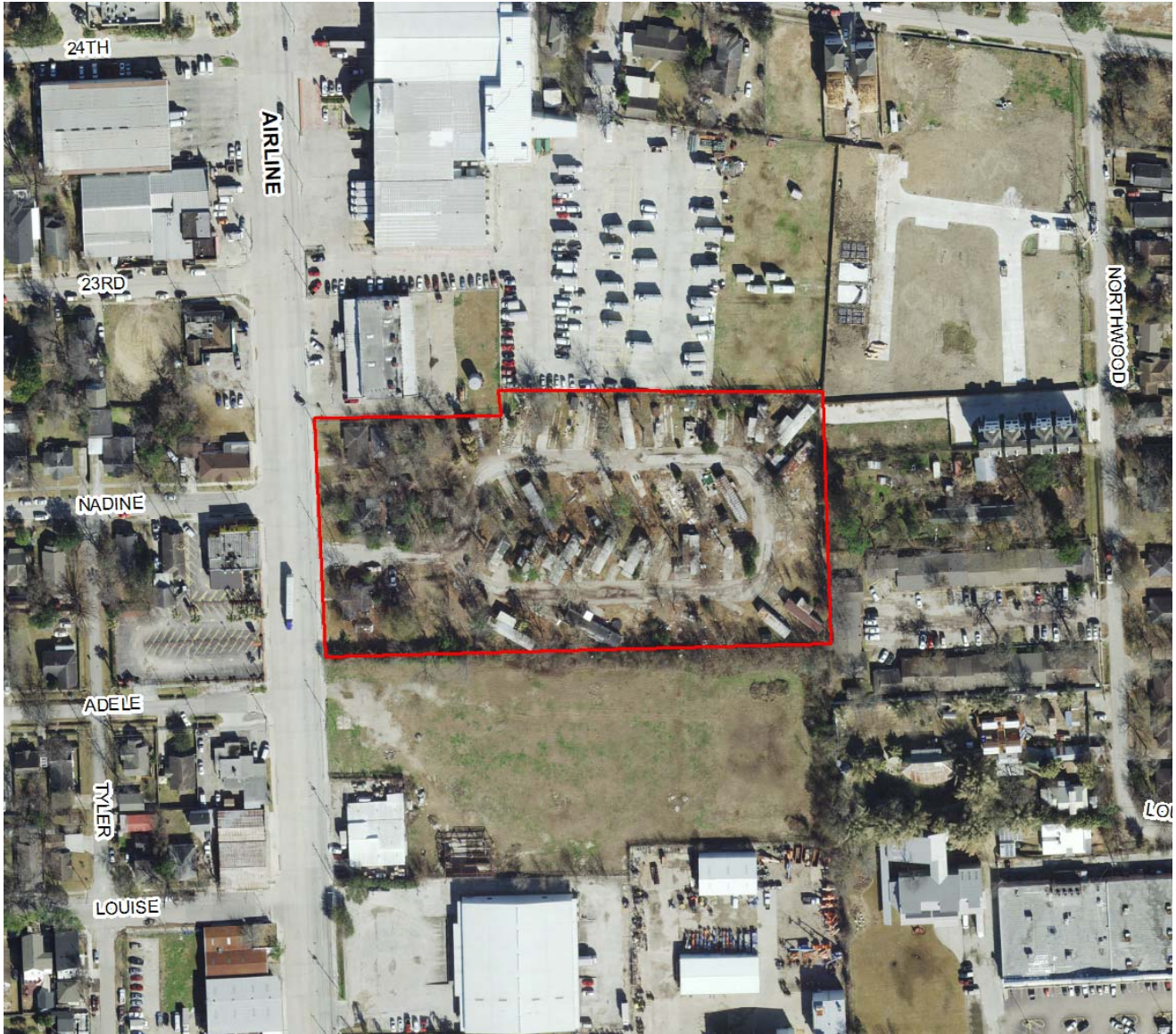
Planning and Development Department

Meeting Date: 05/28/2020

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Subdivision Name: East Heights at Airline (DEF 2)

Applicant: Vernon G. Henry & Associates, Inc.



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**F- Reconsideration of Requirements**

**Aerial**

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**PLANNING &  
DEVELOPMENT  
DEPARTMENT**

**APPLICANT'S  
Reconsideration of Requirements Request Form**

**Application No:** 2020-0388  
**Plat Name:** East Heights at Airline  
**Applicant:** Vernon G. Henry & Associates, Inc.  
**Date Submitted:** 03/06/2020

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:**

42-127

**Chapter 42 Section:** 127

**Chapter 42 Reference:**

to allow intersection spacing of less than 600' on a major thoroughfare

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:**

n/a



## PLANNING & DEVELOPMENT DEPARTMENT

## APPLICANT'S Variance Request Form

**Application Number:** 2020-0388

**Plat Name:** East Heights at Airline

**Applicant:** Vernon G. Henry & Associates, Inc.

**Date Submitted:** 03/06/2020

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 more than 35 lots off of one cul-de-sac; To allow reduced intersection spacing along Airline Drive

**Chapter 42 Section:** 127

**Chapter 42 Reference:**

42-127: Intersections along a major thoroughfare shall be spaced a minimum of 600 feet apart. 42-131: A cul-de-sac shall not serve a single-family residential development that will generate more than 350 vehicle trips a day at the intersection of the cul-de-sac with a through street. A cul-de-sac that exclusively serves a single-family residential development and that has a length of not more than 350 feet from the centerline of its intersection with the nearest street shall have a paving width of at least 24 feet and shall not be used to serve single-family residential development that will generate more than 350 vehicle trips a day at the intersection of the cul-de-sac with a through 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**

**(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 property is an older trailer park which is to be redeveloped for single-family homes by a respected major builder with headquarters in Houston. It is located in a quickly redeveloping area of the inner city near the intersection of Airline Drive and Cavalcade. The request is to align the intersection of the proposed p.a.e. 600' from public street intersections on the opposite side of Airline Drive. Satisfying this requirement is not possible because the Pine Ridge Addition on the west side of Airline, which was platted many years ago, has blocks only 200' wide with streets that intersect Airline on each side of the blocks so no new street could be created on the east side that would be 600' from an existing street on the west side. Access to proposed East Heights at Airline will be from a gated 50' permanent access easement to be built to public street standards. The intersection of this p.a.e. with Airline is in approximately the same location as the driveway intersection on Airline that has long served the trailer park. Because of the gated entry, there will be no crossing of Airline from Nadine Street on the west side, even though the south edge of Nadine is only 2.25' from the north side of the p.a.e. The p.a.e. will terminate in a cul-de-sac bulb and will not provide any access to property outside the new subdivision. The requirement for 600' of separation between streets in the inner city is impractical with the amount of small block subdivisions that are present within the inner-city. It is also an inconsistent policy because the driveways of large apartment complexes have no requirement for offset against public streets. For instance, the new apartment complex to the south of this project has almost 300 units and the driveway access to Airline has an offset of about 12' from centerline of the driveway to centerline of Adele Street across the Airline right of way. Allowing more than 35 lots off one point of access is done regularly throughout Houston. For instance, suburban developers can have up to 150 lots off one point of access. There are also several examples of multiple large apartment complexes taking access from the same cul-de-sac. There is no rule governing the amount of apartment units that can take access from a street which has a cul-de-sac. Something suburban developers get that inner-city developers sometimes do not, is flexibility. This site has little room for flexibility of access. There is only about 300' of frontage on Airline, which makes it impractical to have two 50' streets taking access from Airline. Having two 50' streets would create yet another variance for intersection spacing along Airline. In addition, this site is essentially landlocked on 3 sides. To the north there are multiple commercial properties. To the east, there are single-family properties that would not allow a stub street to go through. To the south, is a large apartment complex that was just completed recently.

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

Pine Ridge Addition with its 200' wide blocks and parallel streets intersecting Airline was platted decades ago, prior to the adoption of Chapter 42 regulations prohibiting this type of design. This plat was already approved preliminarily. It is then customary to get all engineering plans approved, which this developer has done. After spending hundreds of thousands of dollars on engineering with regards to water, sewer, drainage, and paving plans. The planning staff has now come back and said it requires a variance, which should have been determined at the preliminary stage. The 300' length, 350 trips, and 35 lots per day limit on cul-de-sacs was added to Chapter 42 in the mid 1990's with the intention of ensuring water service viability. This policy has since been resolved with the improvements of utility design and technology according to previous statements of PWE.

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

The intent of the Chapter was to require subdivisions to provide internal circulation rather than throwing it onto adjacent major thoroughfares. It was not intended to prohibit development on the opposite side of the thoroughfare, or even to require streets on the opposite side to be located 600' away. The strict interpretation of the chapter wording has resulted in applying the off-set requirement to both sides of the street. For much infill development, this interpretation has created major problems. This proposal is a small subdivision which will provide internal circulation on its own network of shared driveways and the p.a.e. This is a rapidly redeveloping area of Houston, which the developer thinks is a great spot for small lot single-family residential development. Getting this amount of density allows the developer to deliver a more reasonably-priced product relative to other properties in the area.

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

Public health, safety, and welfare will not be adversely impacted because there will be no cross-traffic between Nadine and the new p.a.e.

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

One justification for the variance is the lack of cross-traffic because of the gated entry into the new single-family subdivision. Another main reason the developer needs the variance is the existence of impassable land-uses on all three sides, which make through streets impractical.



# 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](http://www.houstontx.gov)

April 21, 2020

## NOTICE OF VARIANCE REQUEST

**PROJECT NAME:** East Heights at Airline

**REFERENCE NUMBER:** 2020-0388

**ROR**

Dear Property Owner:

The Planning and Development Department has received a subdivision application with a variance request for a property located along Airline Drive north of W. Cavalcade 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 reconsideration of requirements with a variance to allow intersection spacing of less than 600' along Airline Drive a major thoroughfare. 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. This item is currently being scheduled for consideration at a

### Virtual Planning Commission Meeting

**Thursday, April 30, 2020, at 2:30 p.m.**

Due to the COVID 19 emergency, and the Mayor's directives on social distancing and limits on public gatherings, The Planning Commission will hold a video conference via Microsoft Teams. The video conference will allow for a two-way video/ audio communication with Houston Planning Commission. To join the meeting, visit our website:

[www.houstonplanning.com](http://www.houstonplanning.com)

You may also submit comments or sign up as speakers in the following ways:

Council Members: Amy Peck Jerry Davis Abbie Kamin Carolyn Evans-Shabazz Dave Martin Tiffany Thomas Greg Travis Karla Cisneros  
Robert Gallegos Edward Pollard Martha Castex-Tatum Mike Knox David W. Robinson Michael Kubosh Letitia Plummer Sallie Alcorn  
Controller: Chris B. Brown



1. Send email to: [speakercomments.pc@houstontx.gov](mailto:speakercomments.pc@houstontx.gov),

Please submit written comments or sign up as speakers at least 24 hours in advance of the meeting, so staff may compile them in order of the agenda items. These will be read into the record but may be summarized by staff if they are especially lengthy or duplicative of other comments. ALL comments submitted will be made part of the meeting record. Speakers who signed up to speak will be allowed to make their comments during the meeting.

2. Call the Planning Department at: 832-393-6624. A staff member will take your comments. Your comments will be read into the record and made part of the meeting record.

For additional information regarding this project, please call Jake Patrick of Vernon G. Henry & Associates, Inc. at 713-627-8666. You may also contact Homero Guajardo Alegria with the Planning and Development Department regarding this notice via email at [planning.variances@houstontx.gov](mailto:planning.variances@houstontx.gov) or call (832)393-6600. To view the complete Planning Commission meeting agenda, go to [www.houstonplanning.com](http://www.houstonplanning.com). Information on the reverse side of this page explains more about the terminology used in this letter.

THE PLAT MAY BE DEFERRED. THE NEW DATE FOR COMMISSION ACTION WILL BE INDICATED ON THE POSTED SIGN(S) THE MONDAY 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.

## 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

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# Houston Planning Commission

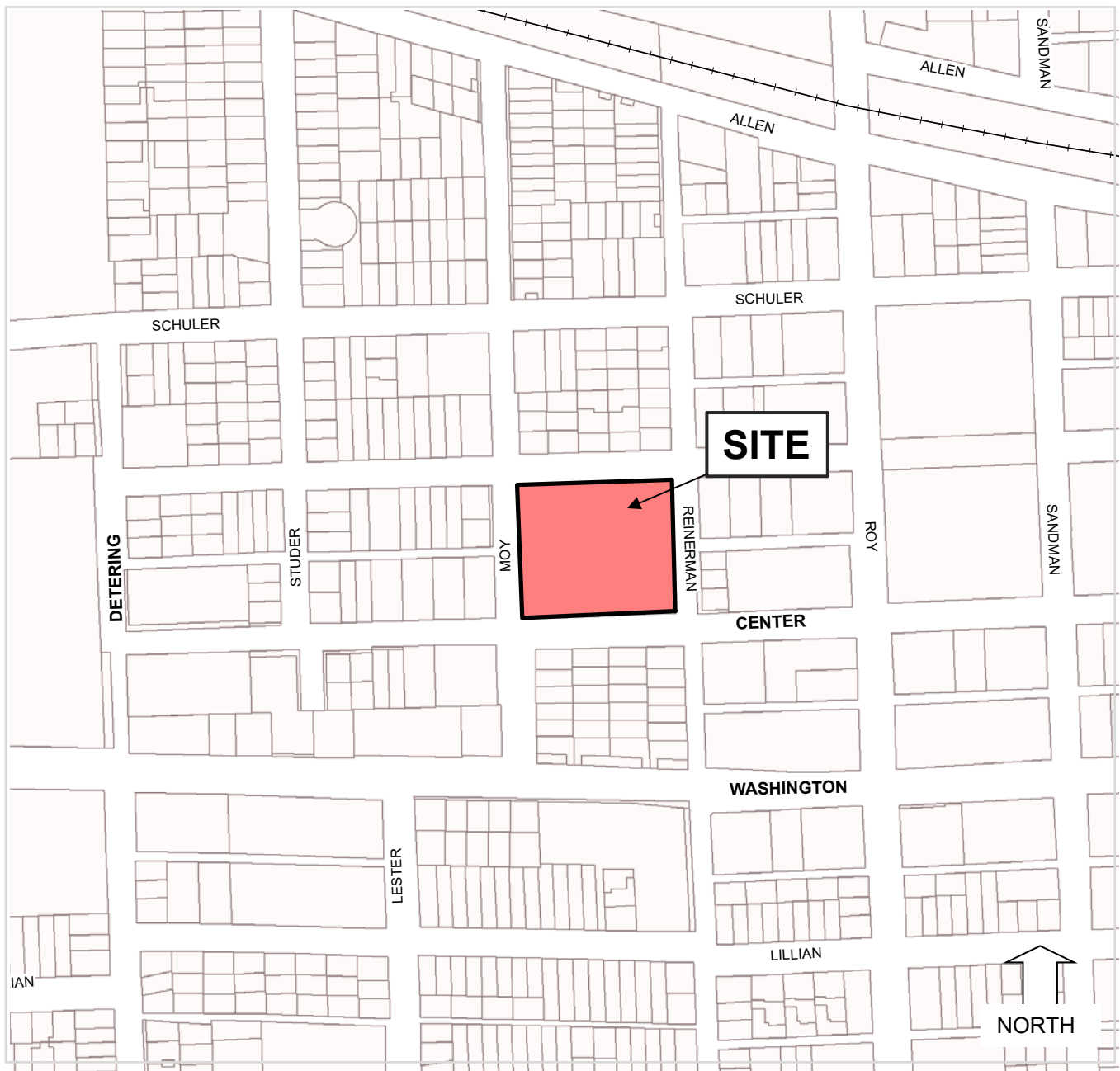
**ITEM: 114**

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Heritage Senior Residence (DEF1)

Applicant: LJA Engineering, Inc.



**F- Reconsideration of Requirements**

**Site Location**

# Houston Planning Commission

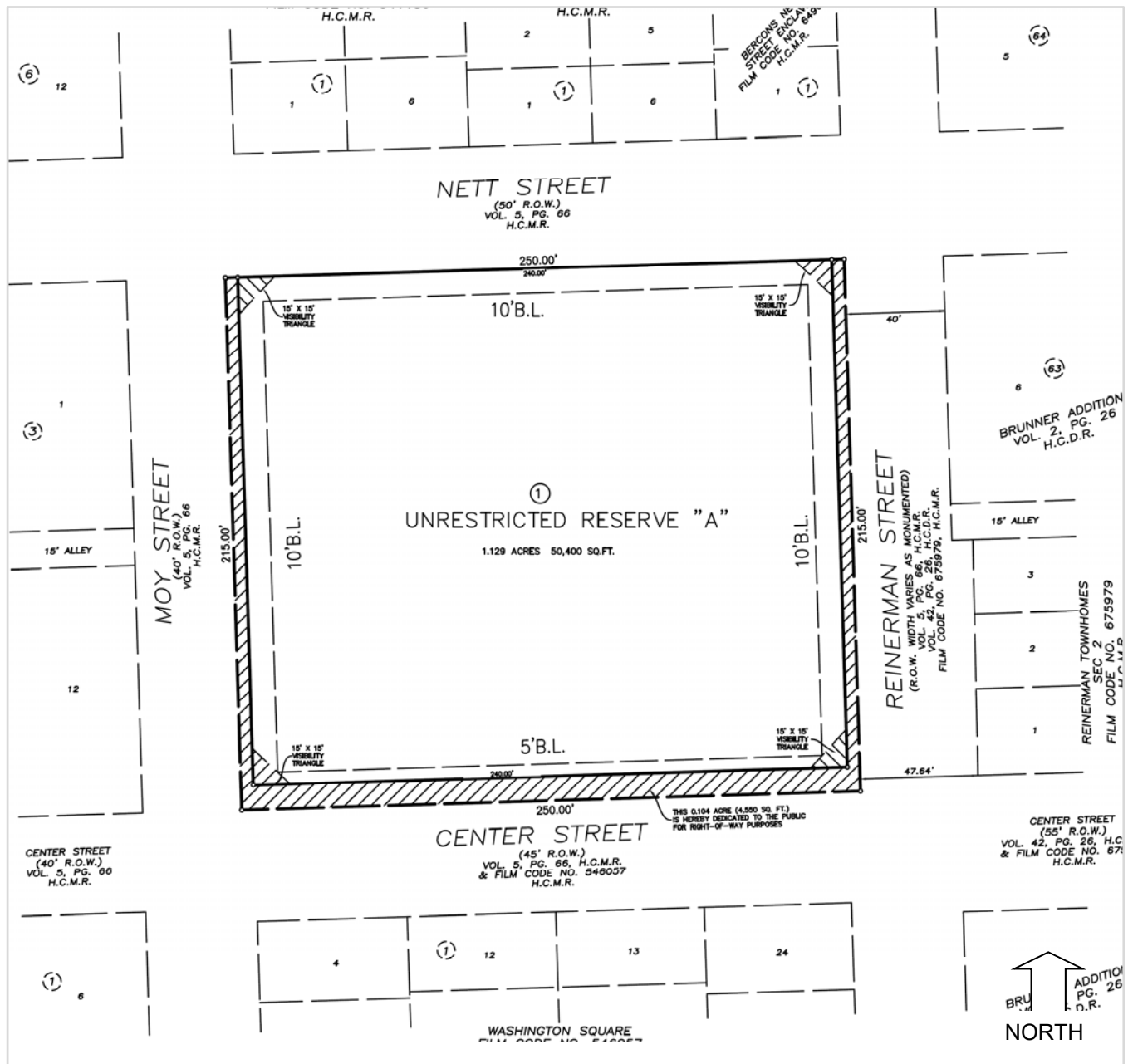
## ITEM: 114

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Heritage Senior Residence (DEF 1)

Applicant: LJA Engineering, Inc.



### F- Reconsideration of Requirements

### Subdivision



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# Houston Planning Commission

## ITEM: 114

Planning and Development Department

Meeting Date: 05/28/2020

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Subdivision Name: Heritage Senior Residence (DEF 1)

Applicant: LJA Engineering, Inc.



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**F- Reconsideration of Requirements**

**Aerial**

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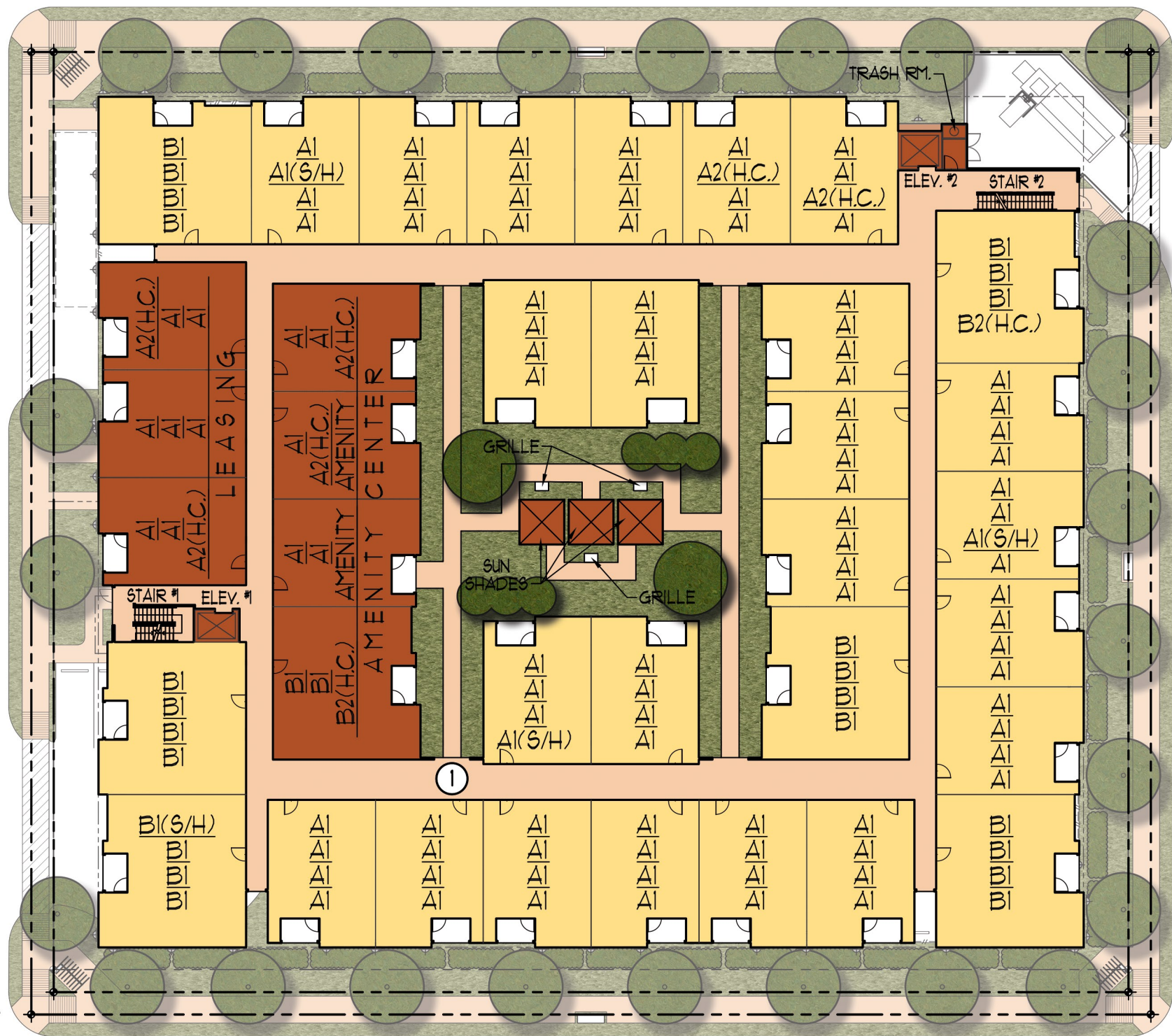


NETT STREET  
EXISTING 50' ROW.

MOY STREET  
EXISTING 40' ROW.  
(PROPOSED 50' ROW.)

REINERMAN AVENUE  
EXISTING VARIABLE ROW.  
(PROPOSED 50' ROW.)

CENTER STREET  
EXISTING 45' ROW.  
(PROPOSED 60' ROW.)



NO PIPELINE EASEMENTS ON THIS PROPERTY.  
H.C. INDICATES MOBILITY IMPAIRED UNIT  
S/H INDICATES SIGHT/HEARING IMPAIRED UNIT  
STRUCTURE IS COMPRISED OF 3 DISTINCT BLDGS., #1, #2, AND #3 SEPARATED BY TWO-HOUR CONCRETE PODIUM FLOOR.  
SITE AREA: 123 ACRES PRIOR TO ROW. DEDICATIONS OF 5' WIDTH ON EAST & WEST PROPERTY LINES, 10' WIDTH ON SOUTH PROPERTY LINE.  
PROPERTY IS IN ZONE 'X', OUTSIDE THE 100 YEAR FLOODPLAIN.  
STORM WATER DETENTION TO OCCUR UNDERGROUND IN TANKS/PIPING BENEATH THE 1ST FLOOR PARKING GARAGE.  
NO FLOOD MITIGATION REQUIRED FOR THIS PROPERTY.

# SITE PLAN - Levels 2-5

Heritage Senior Residences  
Mucasey & Associates, Architects



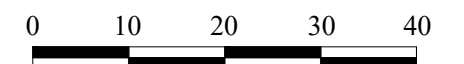
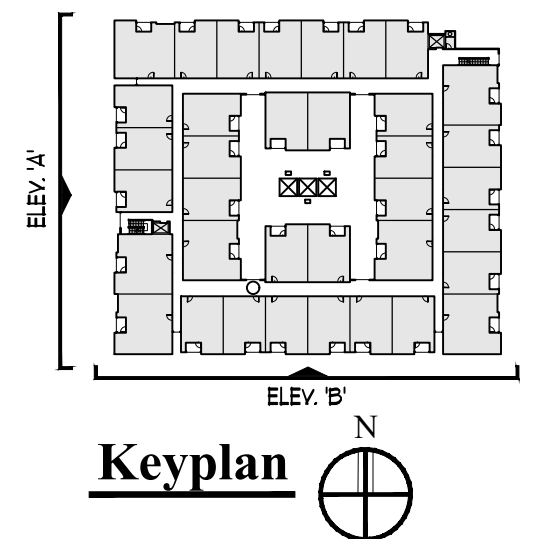


## ELEVATION - "A" : Moy Street



## ELEVATION - "B" : Center Street

*Heritage Senior Residences*  
Mucasey & Associates, Architects



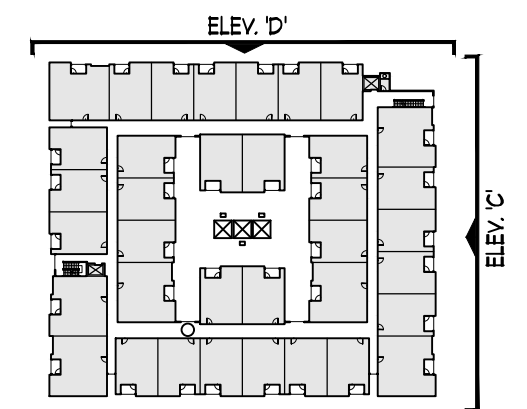
VENEER:  
30% PLASTER VENEER  
70% FIBER CEMENT SIDING

TDHCA Disclosure: In accordance with the rules of the Texas Department of Housing and Community Affairs, aspects of this development may be subject to change, including but not limited to, changes in the amenities ultimately selected and provided.





## ELEVATION - "C" Reinerman Street



## ELEVATION - "D" : Nett Street

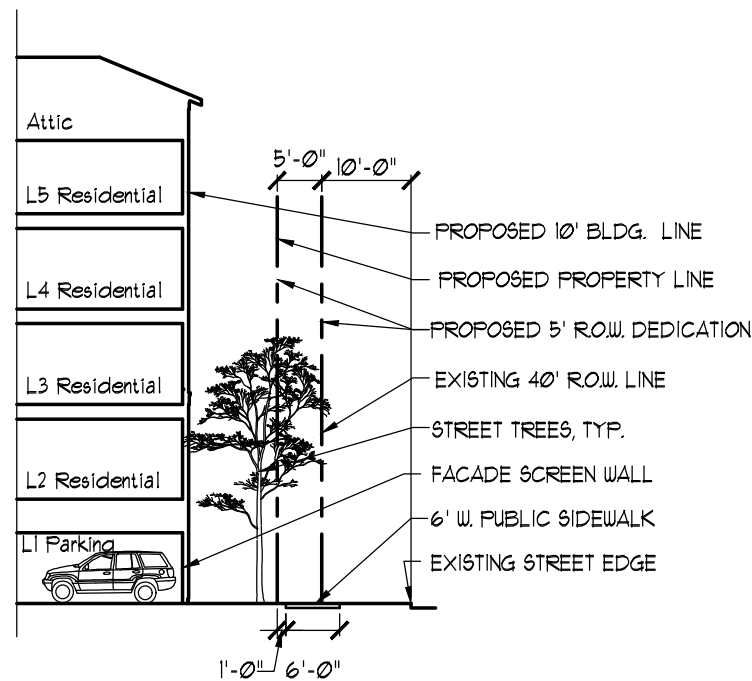
*Heritage Senior Residences*  
Mucasey & Associates, Architects

TDHCA Disclosure: In accordance with the rules of the Texas Department of Housing and Community Affairs, aspects of this development may be subject to change, including but not limited to, changes in the amenities ultimately selected and provided.

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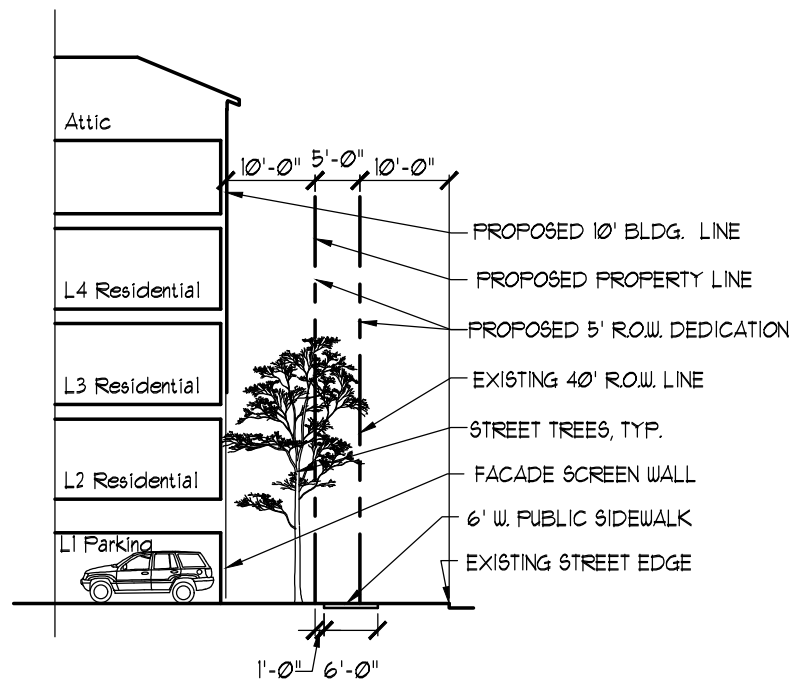


VENEER:  
30% PLASTER VENEER  
70% FIBER CEMENT SIDING



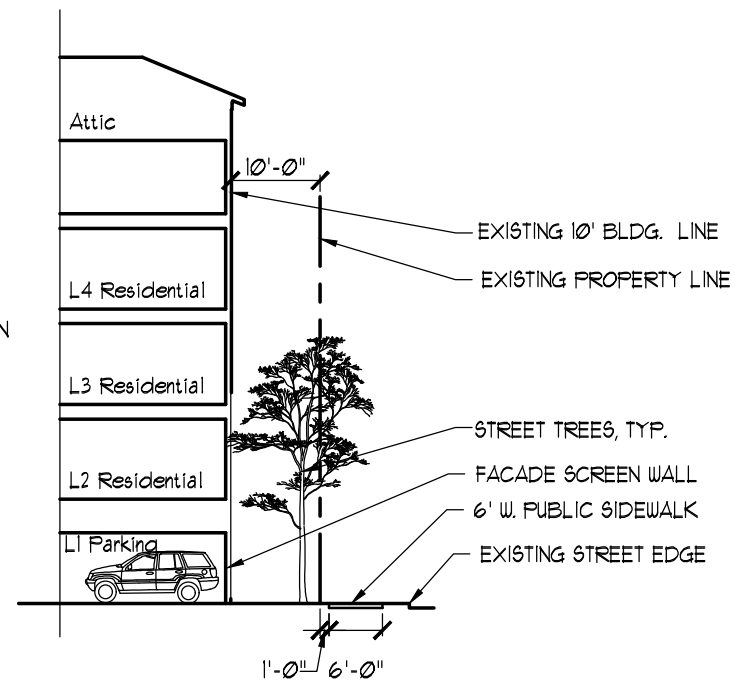
## REINERMAN AVENUE

EXISTING VARIABLE R.O.W.  
(PROPOSED 50' R.O.W.)



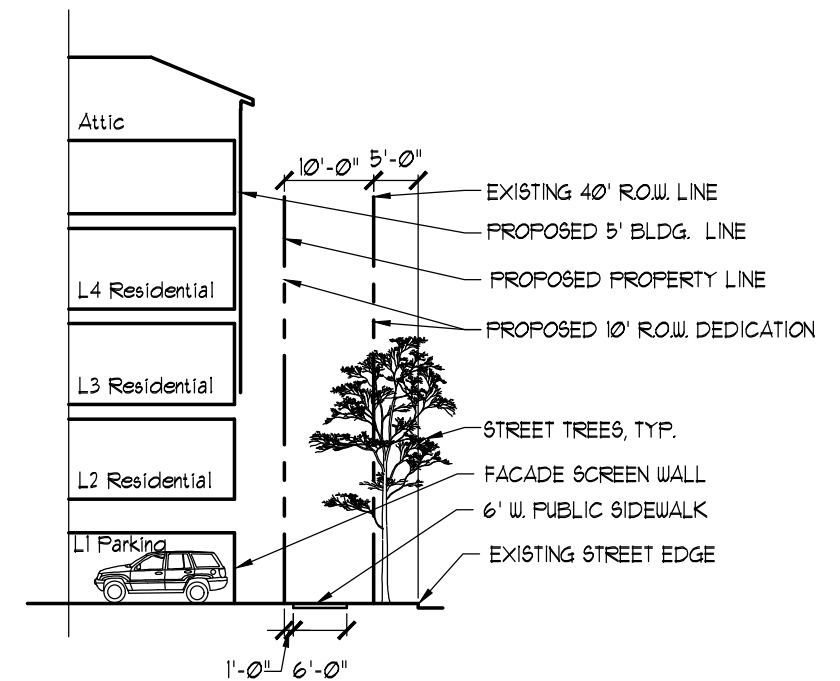
## MOY STREET

EXISTING 40' R.O.W.  
(PROPOSED 50' R.O.W.)



## NETT STREET

EXISTING 50' R.O.W.



## CENTER STREET

EXISTING 45' R.O.W.  
(PROPOSED 60' R.O.W.)

## PROPOSED STREET CONDITIONS

HERITAGE SENIOR RESIDENCES

Mucasey & Associates, Architects  
May 15, 2020



Application No: 2020-0541  
Plat Name: Heritage Senior Residence  
Applicant: LJA Engineering, Inc.- (West Houston Office)  
Date Submitted: 03/23/2020

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 allow a 5 foot building line along the plat boundary at the Center Street collector instead of a 10 foot building line as required by Chapter 42 section 42-155.

**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.

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 Heritage Senior Residence is a plat that is proposed to be an unrestricted reserve/senior residential development located in the City of Houston, Harris County. The site is bounded by the east-west streets of Center Street to the south and Nett Street to the north. The site is also bounded by the north-south streets of Moy Street to the west and Reinerman Street to the east. Center Street is designated as a Collector street and the Heritage Senior Residence plat is providing 10' of Right-of-Way dedication to comply with the Collector's required Right-of-way width. Center street and Nett Street end approximately 600 feet to the west at Detering Street. Moy Street and Reinerman Street end approximately 200 feet to the south at Washington Avenue which is a designated major thoroughfare. Approximately 1,000 feet to the west of the site is T.C. Jester Boulevard which is a designated major thoroughfare. Approximately, 1,300 feet to the east of the site is Shepherd Drive which is a designated major thoroughfare. The site is also located approximately 2,000 feet south of Interstate 10 with access to multiple major thoroughfares. Surrounding the site are mostly single-family homes with small commercial developments within walking distance. Proposed sidewalks and tree planting surrounding the entire site are intended to create a walkable environment. The proposed entry is centrally located on Moy Street to allow for easy access to either Washington Avenue, T.C. Jester Boulevard or Shepherd Drive. This development is addressing the need for Senior residential housing that can best add to the residential aspects of the area and provide essential access to major streets. Providing a 5' building line will be consistent with what is already existing and will be a benefit to the adjacent neighborhood. The Heritage Senior Residence is in keeping with the surrounding residential neighborhood. Most of the properties adjacent to the subject site, that are located along Center Street, will not be redeveloping in the future. They have already been fully developed with established building lines. Reinerman Townhomes Sec 2 (675979 HCMR), is located across from the subject site at the intersection of Center Street and Reinerman Street and includes a 10' building line. This recorded building line aligns with the 5 foot proposed building line in the Heritage Senior Residence proposed plat. Granting the 5 foot building line variance will be consistent with the adjacent neighborhood and will achieve the intent of Chapter 42. This is not a hardship created or imposed by the applicant since most the properties, surrounding the proposed site, were developed prior to the re-designation of Center Street as a Collector road. The approval of the proposed 5' building would be in keeping with the intent of what has already been developed. The Heritage Senior Residence will provide a walkable environment around the site, provide efficient vehicular access to major roads, and provide needed senior living in the area. This will be a benefit to the surrounding neighborhood and the intent and general purpose of Chapter 42 will be preserved and maintained



**PLANNING &  
DEVELOPMENT  
DEPARTMENT**

**APPLICANT'S  
Variance Request Form**

**Application Number:** 2020-0541

**Plat Name:** Heritage Senior Residence

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

**Date Submitted:** 03/23/2020

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)**

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To allow a 5 foot building line along the plat boundary at the Center Street collector instead of a 10 foot building line as required by Chapter 42 section 42-155.

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**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**

NA

**(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 Heritage Senior Residence is a plat that is proposed to be an unrestricted reserve/senior residential development located in the City of Houston, Harris County. The site is bounded by the east-west streets of Center Street to the south and Nett Street to the north. The site is also bounded by the north-south streets of Moy Street to the west and Reinerman Street to the east. Center Street is designated as a Collector street and the Heritage Senior Residence plat is providing 10' of Right-of-Way dedication to comply with the Collector's required Right-of-way width. Center street and Nett Street end approximately 600 feet to the west at Detering Street. Moy Street and Reinerman Street end approximately 200 feet to the south at Washington Avenue which is a designated major thoroughfare. Approximately 1,000 feet to the west of the site is T.C. Jester Boulevard which is a designated major thoroughfare. Approximately, 1,300 feet to the east of the site is Shepherd Drive which is a designated major thoroughfare. The site is also located approximately 2,000 feet south of Interstate 10 with access to multiple major thoroughfares. Surrounding the site are mostly single-family homes with small commercial developments within walking distance. Proposed sidewalks and tree planting surrounding the entire site are intended to create a walkable environment. The proposed entry is centrally located on Moy Street to allow for easy access to either Washington Avenue, T.C. Jester Boulevard or Shepherd Drive. This development is addressing the need for Senior residential housing that can best add to the residential aspects of the area and provide essential access to major streets. Providing a 5' building line will be consistent with what is already existing and will be a benefit to the adjacent neighborhood.

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

The Heritage Senior Residence is in keeping with the surrounding residential neighborhood. Most of the properties adjacent to the subject site, that are located along Center Street, will not be redeveloping in the future. They have already been fully developed with established building lines. Reinerman Townhomes Sec 2 (675979 HCMR), is located across from the subject site at the intersection of Center Street and Reinerman Street and includes a 10' building line. This recorded building line aligns with the 5 foot proposed building line in the Heritage Senior Residence proposed plat. Granting the 5 foot building line variance will be consistent with the adjacent neighborhood and will achieve the intent of Chapter 42. This is not a hardship created or imposed by the applicant since most the properties, surrounding the



proposed site, were developed prior to the re-designation of Center Street as a Collector road. The approval of the proposed 5' building would be in keeping with the intent of what has already been developed.

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

The Heritage Senior Residence will provide a walkable environment around the site, provide efficient vehicular access to major roads, and provide needed senior living in the area. This will be a benefit to the surrounding neighborhood and the intent and general purpose of Chapter 42 will be preserved and maintained.

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

Granting the variance will be in keeping with the surrounding neighborhood while providing needed senior living and will not be injurious to the public health, safety or welfare.

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

By granting the variance, the development will enhance the walkability of the area, maintain efficient traffic circulation, and be consistent with adjacent developments to be a beneficial part of the area by providing needed senior living. Economic hardship is not the sole justification of the variance.



# 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](http://www.houstontx.gov)

May 6, 2020

## NOTICE OF VARIANCE REQUEST

**PROJECT NAME:** Heritage Senior Residence

**REFERENCE NUMBER:** 2020-0541

**ROR/VAR**

Dear Property Owner:

The Planning and Development Department has received a subdivision plat application with a variance request for a property located on a block bound by Nett, Reinerman, Center, and Moy Streets. 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.

LJA, the applicant, has filed the request on behalf of the developer of the subject site. The applicant is requesting a reconsideration of requirement with variance to establish a 5' building line along Center Street as opposed to the required 10'. Enclosed are copies of the reconsideration of requirement, variance request and the proposed subdivision plat 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.

### Virtual Planning Commission Meeting

**Thursday, May 14, 2020, at 2:30 p.m.**

Due to the COVID 19 emergency, and the Mayor's directives on social distancing and limits on public gatherings, The Planning Commission will hold a video conference via Microsoft Teams. The video conference will allow for a two-way video/ audio communication with Houston Planning Commission. To join the meeting, visit our website:

[www.houstonplanning.com](http://www.houstonplanning.com)

You may also submit comments or sign up as speakers in the following ways:

Council Members: Amy Peck Jerry Davis Abbie Kamin Carolyn Evans-Shabazz Dave Martin Tiffany Thomas Greg Travis Karla Cisneros  
Robert Gallegos Edward Pollard Martha Castex-Tatum Mike Knox David W. Robinson Michael Kubosh Letitia Plummer Sallie Alcorn  
Controller: Chris B. Brown

1. Send email to: [speakercomments.pc@houstontx.gov](mailto:speakercomments.pc@houstontx.gov),

Please submit written comments or sign up as speakers at least 24 hours in advance of the meeting, so staff may compile them in order of the agenda items. These will be read into the record but may be summarized by staff if they are especially lengthy or duplicative of other comments. ALL comments submitted will be made part of the meeting record. Speakers who signed up to speak will be allowed to make their comments during the meeting.

2. Call the Planning Department at: 832-393-6624. A staff member will take your comments. Your comments will be read into the record and made part of the meeting record.

For additional information regarding this project, please call Rene Rodriguez with LJA Engineering, Inc. at 713-953-5228. You may also contact Geoff Butler with the Planning and Development Department regarding this notice via email at [planning.variances@houstontx.gov](mailto:planning.variances@houstontx.gov) or call (832)393-6600. To view the complete Planning Commission meeting agenda, go to [www.houstonplanning.com](http://www.houstonplanning.com). Information on the reverse side of this page explains more about the terminology used in this letter.

THE PLAT MAY BE DEFERRED. THE NEW DATE FOR COMMISSION ACTION WILL BE INDICATED ON THE POSTED SIGN(S) THE MONDAY 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.

## **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

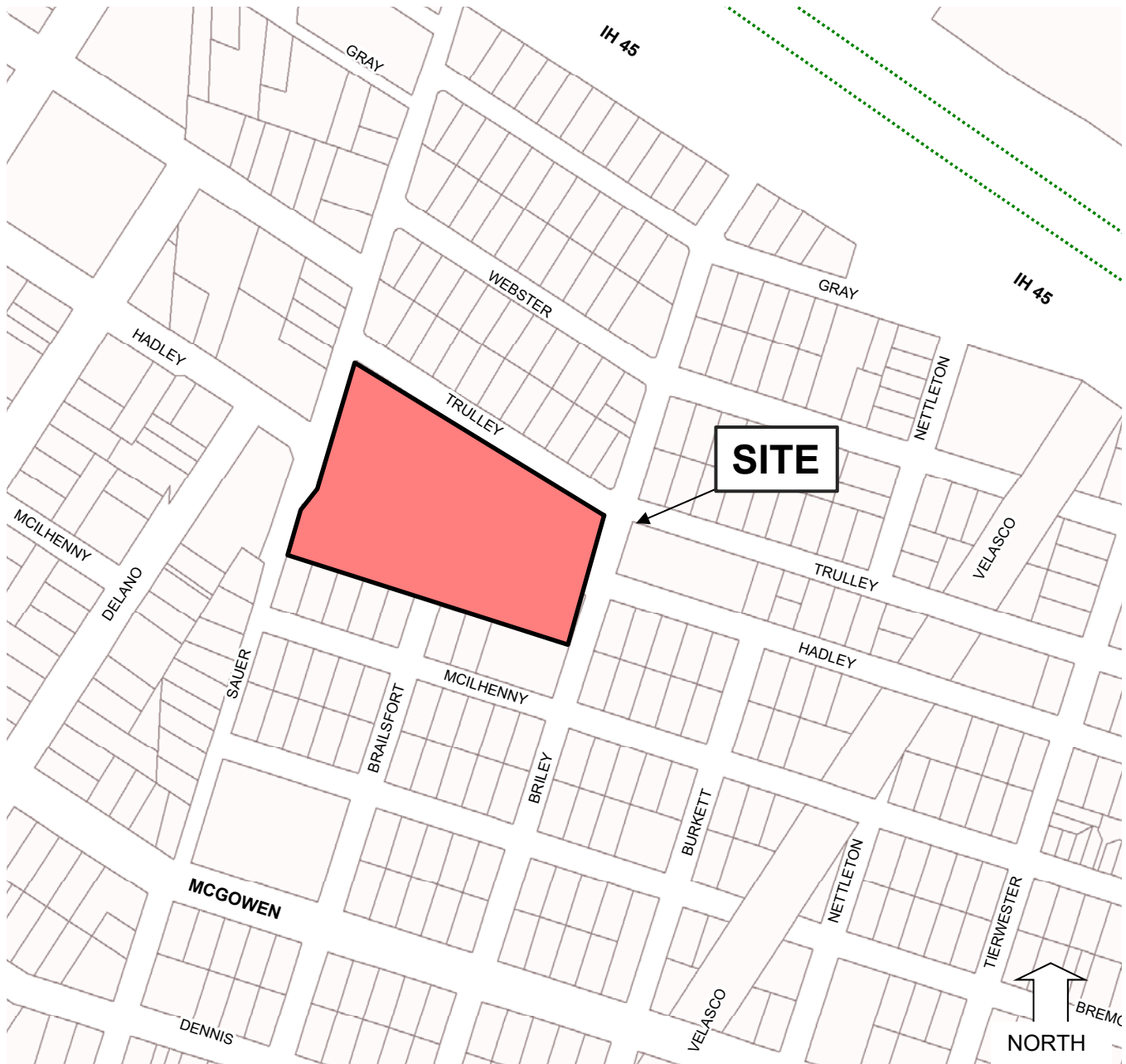
**ITEM: 115**

Planning and Development Department

Meeting Date: 05/28/2020

**Subdivision Name: Yellowstone Academy Campus**

**Applicant: Windrose**



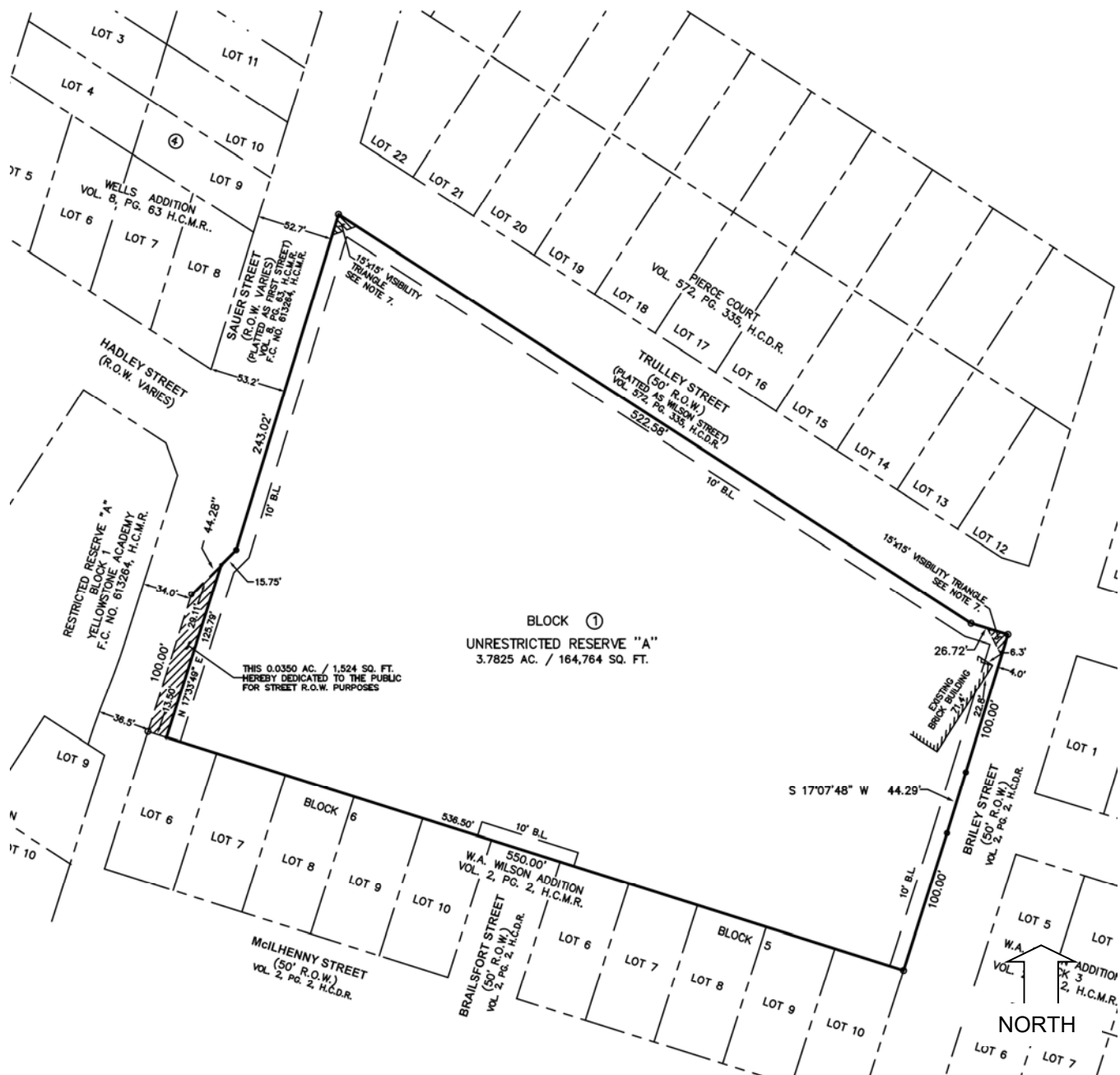
**F- Reconsideration of Requirements**

**Site Location**

## Planning and Development Department

**Meeting Date: 05/28/2020**

**Applicant: Windrose**



## Subdivision



# Houston Planning Commission

ITEM: 115

Planning and Development Department

Meeting Date: 05/28/2020

Subdivision Name: Yellowstone Academy Campus

Applicant: Windrose



F- Reconsideration of Requirements

Aerial



These drawings have been prepared as one coordinated set of drawings and are complementary. What is required by one drawing is required by all of the drawings, even if a detail or component part is not identified on every sheet. Any user's reliance on a single or select few sheet(s) of the drawings without consideration for the information included in the entire set of drawings will be at the user's sole risk and shall not form the basis for a request for additional compensation or time.

THIS DOCUMENT IS RELEASED FOR  
INTERIM REVIEW ONLY UNDER THE  
AUTHORITY OF  
S.M.H. THOMAS, P.E.  
DATE: 02/13/2020  
ON: 02/13/2020  
IT IS NOT TO BE USED FOR  
CONSTRUCTION, BIDDING OR PERMIT  
PURPOSES.

NOT FOR CONSTRUCTION		
DATE	ISSUE	
01/30/2020	75% Design Development	
02/13/2020	100% Design Development	

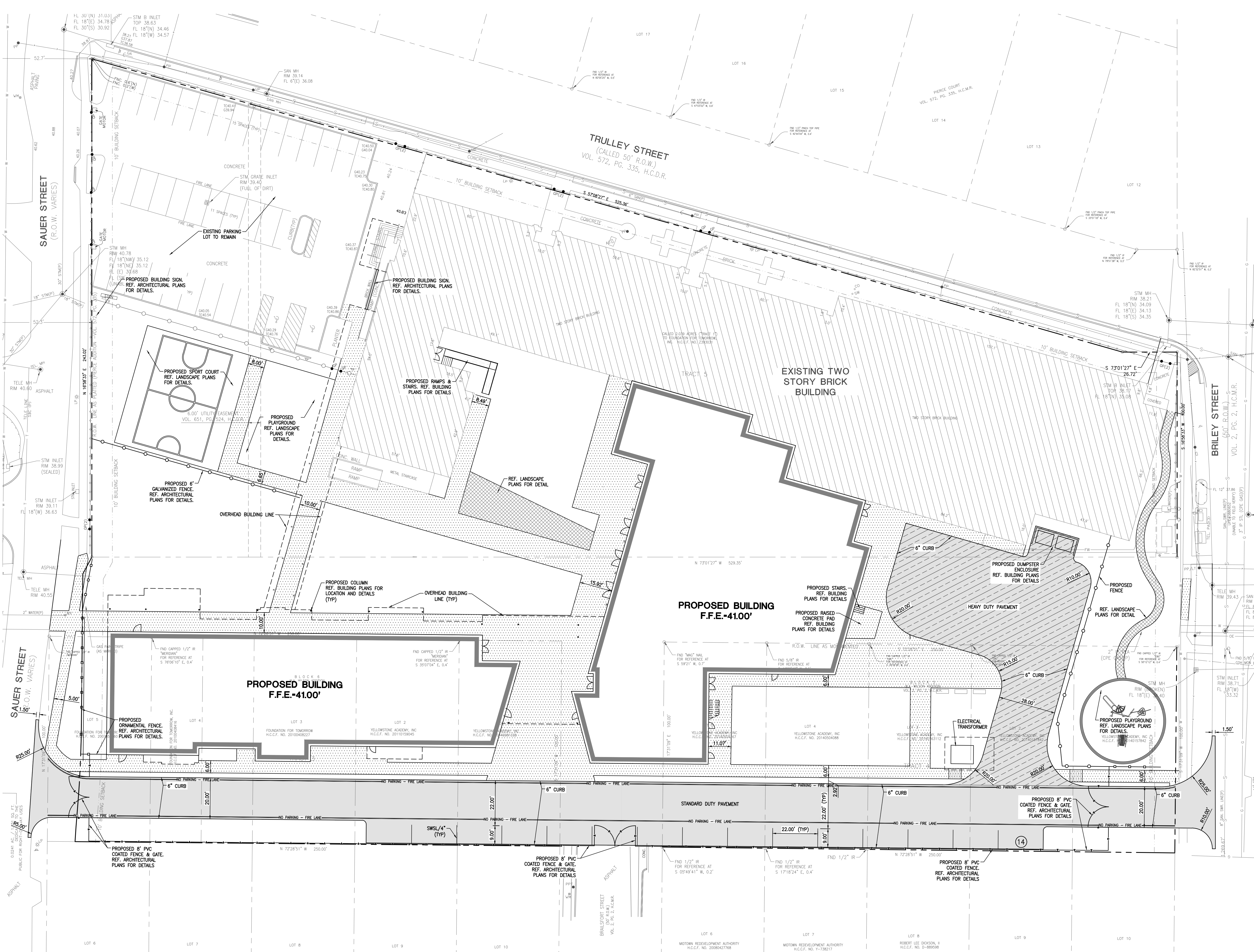
PROJECT NAME  
YELLOWSTONE SCHOOL  
EXPANSION

PROJECT ADDRESS  
3000 Trulley St  
Houston, Tx 77004

KIRKSEY PROJECT NO. 2019115  
KEY PLAN

SHEET TITLE  
SITE PLAN

SHEET NUMBER  
C1.00



#### SITE PLAN NOTES:

- CONTRACTOR SHALL REFER TO BUILDING PLANS FOR EXACT LOCATIONS & DIMENSIONS OF BUILDING, ARCHITECTURE, SIDEWALKS, EXT PORCHES, RAMPS, & EXACT BUILDING UTILITY SERVICE ENTRANCE LOCATIONS AT THE BUILDING.
- ALL UNSURFACED AREAS ARE TO RECEIVE FOUR INCHES OF TOPSOIL, SEED, MULCH, OR SOD, & WATERED UNTIL A HEALTHY STAND OF GRASS IS OBTAINED AS INDICATED ON THE LANDSCAPING PLAN.
- PROPERTY & TOPOGRAPHIC SURVEY WAS PREPARED ON 07-15-19 BY WINDROSE LAND SURVEYING.
- CONTRACTOR IS RESPONSIBLE FOR PROTECTING EXISTING BENCHMARK.
- CONTRACTOR IS RESPONSIBLE FOR OBTAINING APPROVAL FROM THE POWER & TELEPHONE COMPANIES FOR LOCATION & HEIGHT OF SIGN BEFORE CONDUIT & WIRING IS INSTALLED TO ENSURE PROPER CLEARANCES ARE MET.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATIONS INCLUDING BUT NOT LIMITED TO ALL EXISTING UTILITIES, STORM DRAINAGE, SIGNS, ETC. AS REQUIRED FOR WIDENING OF ALL ROADWAYS. ALL WORK SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES SPECIFICATIONS & SHALL BE APPROVED BY SUCH.
- PRIOR TO THE START OF CONSTRUCTION ACTIVITIES THE CONTRACTOR MUST CALL 811 AND THE LOCAL UTILITY PROVIDERS TO HAVE ALL UTILITIES MARKED WITHIN THE PROJECT AREA. AFTER UTILITIES ARE MARKED, THE CONTRACTOR SHALL PERFORM A PLAN IN HAND WALK THRU OF THE ENTIRE PROJECT AREA AND SHALL CONTACT THE CIVIL ENGINEER IMMEDIATELY IF THERE ARE ANY DEVIATIONS IN THE LOCATIONS OF EXISTING UTILITIES SHOWN IN THE PLANS AND/OR THE PRESENCE OF UTILITIES THAT ARE NOT SHOWN IN THE PLANS.
- CONTRACTOR SHALL REFER TO BUILDING PLANS & SPECIFICATIONS FOR ENTRY LOCATION OF ALL WATER, SEWER SERVICE, ELECTRICAL, TELEPHONE & GAS SERVICE. CONTRACTOR SHALL COORDINATE INSTALLATION OF UTILITIES IN SUCH A MANNER AS TO AVOID CONFLICTS & ASSURE PROPER DEPTHS ARE ACHIEVED AS WELL AS COORDINATING WITH THE REGULATORY AGENCY AS TO THE LOCATION & TIE-INS/CONNECTIONS TO THEIR FACILITIES.
- ALL DIMENSIONS SHOWN TO BUILDING ARE TO OUTSIDE FACE OF BUILDING.
- ALL NECESSARY PERMITS & APPROVALS FROM AGENCIES GOVERNING THE CONSTRUCTION OF THIS WORK SHALL BE SECURED PRIOR TO BEGINNING CONSTRUCTION.
- THE CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OF ALL AREAS INDICATED TO REMAIN UNDISTURBED OR TO REMAIN AS BUFFERS AND ALL PROPERTY MARKERS. CONTRACTOR SHALL REPLACE ALL PINS ELIMINATED OR DAMAGED DURING CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR REPAIRS OR DAMAGE TO ANY EXISTING IMPROVEMENTS DURING CONSTRUCTION, SUCH AS, BUT NOT LIMITED TO, DRAINAGE, UTILITIES, PAVEMENT, STRIPING, CURBS, ETC., REPAIRS SHALL BE EQUAL TO OR BETTER THAN EXISTING CONDITIONS.
- THE CONTRACTOR SHALL COORDINATE THE INSTALLATION OF ALL UNDERGROUND UTILITIES WITH HIS WORK. ALL UNDERGROUND UTILITIES (WATER, SANITARY SEWER, STORM SEWER, ELECTRICAL CONDUIT, IRRIGATION SYSTEMS, & ANY OTHER MISC. UTILITIES) SHALL BE IN PLACE PRIOR TO THE PLACEMENT OF BASE COURSE MATERIAL, & THE PLACEMENT OF ANY APPROPRIATE SOIL STABILIZATION TECHNIQUE.
- CONTRACTOR SHALL MATCH EXISTING PAVEMENT IN GRADE & ALIGNMENT.
- ALL WORK SHOWN SHALL BE DONE IN ACCORDANCE WITH CONSTRUCTION DOCUMENTS.
- ALL STRIPING LOCATED ON SITE SHALL COMPLY WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES LATEST EDITION UNLESS OTHERWISE NOTED. STRIPING IMPROVEMENTS LOCATED WITHIN THE ROAD RIGHT OF WAY SHALL COMPLY WITH THE REQUIREMENTS OF THE JURISDICTION.
- ANY WORK IN THE RIGHT OF WAY SHALL BE PERFORMED IN ACCORDANCE WITH THE CITY OF HOUSTON STANDARD DRAWINGS & SPECIFICATIONS.
- CONTRACTOR SHALL REMOVE PAVEMENT & CONCRETE IN ACCORDANCE WITH THE CITY OF HOUSTON STANDARD SPECIFICATIONS.
- THE PROPERTIES SHOWN HEREIN LIE WITHIN ZONE UNSHADED X, ACCORDING TO FLOOD AREAS OF INSURANCE RATE MAPS PUBLISHED BY F.E.M.A. COMMUNITY PANEL NO. 48201C080M DATED UNSHADED X.

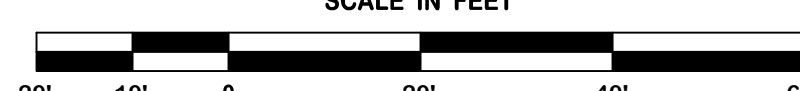
LEGEND	
* SOME OF THESE ELEMENTS MAY NOT BE USED ON THIS SURVEY	
• BOLLARD	— PIPELINE MARKER
• HANDCAP	— UNDERGROUND CABLE SIGN
• GAS METER	• CATHODIC TEST LEAD
• GAS VALVE	• MONITORING WELL
• FIRE HYDRANT	• PIN FLAG/PIN MARK
• WATER METER	• TOP OF CURB
• WATER VALVE	• GUTTER
• IRRIGATION CONTROL VALVE	• TOP OF GRATE
• GRATE INLET	• FLOW LINE
• MANHOLE	• HIGHBANK
• CLEANOUT	• SANITARY SEWER
• TELEPHONE PEDESTAL	• STORM SEWER
• ELECTRIC BOX	• CORRUGATED METAL PIPE
• TRAFFIC SIGNAL BOX	• CORRUGATED PLASTIC PIPE
• TRAFFIC LIGHT POLE	• REINFORCED CONCRETE PIPE
• LIGHT POLE	• TELEPHONE
• GUY ANCHOR	• SOUTHWESTERN BELL TELEPHONE CO.
• OVERHEAD POWER LINE	• WATER
• BARBED WIRE FENCE	• UNDERGROUND
• WROUGHT IRON FENCE	• FOUND
• WOOD FENCE	• HARRIS COUNTY CLERK FILE
• CHAINLINK FENCE	• HARRIS COUNTY DEED RECORDS
• GATE POST	• HARRIS COUNTY MAP RECORDS
• PER PLANS	• IR
• APPROX.	• NO.
• HIGHBANK	• PAGE
• SIGN	• R.O.W.
• BASKETBALL GOAL	• SQUARE FEET
	• VOL.
	• F.C.
	• B.L.
	• U.E.
	• TREE/SHRUB

#### LEGEND - NEW IMPROVEMENTS

PROPOSED HEAVY DUTY PAVEMENT	
PROPOSED STANDARD DUTY PAVEMENT	
PROPOSED LANDSCAPE PAVING	
PROPOSED SIDEWALK/ARCHITECTURAL PAVING	
EXISTING BUILDING	
OVERHEAD BUILDING LINE	
PROPOSED 8" GALVANIZED FENCE	
PROPOSED 8" PVC COATED FENCE	
PROPOSED ORNAMENTAL FENCE	
BUILDING	
CURB & GUTTER	
PARKING SPACES	

#### LEGEND - STRIPING

SWSL/4"	- SINGLE WHITE SOLID LINE / 4" WIDE
DYSL/4"	- DOUBLE YELLOW SOLID LINE / 4" WIDE EACH
SYSL/4"	- SINGLE YELLOW SOLID LINE / 4" WIDE
SWSL/4"	- SINGLE WHITE DASHED LINE / 4" WIDE
BSLS/4"	- SINGLE BLUE SOLID LINE / 4" WIDE
SWSL/24"	- SINGLE WHITE SOLID LINE / 24" WIDE
SWSL/8"	- SINGLE WHITE SOLID LINE / 8" WIDE







**PLANNING &  
DEVELOPMENT  
DEPARTMENT**

**APPLICANT'S  
Reconsideration Of Requirement Request Form**

---

**Application No:** 2020-0835  
**Plat Name:** Yellowstone Academy Campus  
**Applicant:** Windrose  
**Date Submitted:** 05/18/2020

---

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 extend or provide a cul-de-sac at the terminus of Brailsfort Street and to allow access.

**Chapter 42 Section:** 42-134

**Chapter 42 Reference:**

Sec. 42-134 "Street extension" paragraph (a) states that: (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

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:**

See variance request.



## PLANNING & DEVELOPMENT DEPARTMENT

## APPLICANT'S Variance Request Form

**Application Number:** 2020-0835

**Plat Name:** Yellowstone Academy Campus

**Applicant:** Windrose

**Date Submitted:** 05/18/2020

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 or provide a cul-de-sac at the terminus of Brailsfort Street and to allow access.

**Chapter 42 Section:** 134

**Chapter 42 Reference:**

Sec. 42-134 "Street extension" paragraph (a) states that: (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.

### 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 property is located at the southwest corner of Trulley Street and Briley Street in the Greater Third Ward Super Neighborhood. The applicant, the Yellowstone Academy, is requesting a variance not to extend or terminate Brailsfort Street with a cul-de-sac. Founded in 2002, Yellowstone Academy is one of the premier Christian private schools serving inner-city Houston. The school currently serves 350 students annually in grades pre-K3 through 8th. The academy has embarked on a major expansion campaign that will enable them to serve approximately 1,000 students by 2022. Along remodeling most of their existing facilities, their master plan includes the new construction of two buildings, two playgrounds, and one sports court. To make this project possible, the applicant has submitted a request to abandon the portion of Harvey Street that runs east-west through the site along with a small portion of Brailsfort Street that runs north-south. They will then reconstruct a new east-west private street located closer to the southern property line. In order to maintain circulation through the site and to the surrounding street network, the applicant desires to make a connection between the new east-west private street and Brailsfort Street. Because this private-public street connection does not meet the technical requirements of the City's street termination regulations, the applicant is requesting a variance. Granting the applicant's request is certainly in the public's best interests as it enables the school to enhance its services to the community while maintaining safe and effective traffic flow.

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

The Yellowstone Academy has been a fixture in the Third Ward since 2002, providing high-quality, faith-based education to elementary and middle-school aged children. In order to continue that mission and increase the number of children served, they must expand their campus. Because of the site constraints and the need to preserve the existing historic structures, the only way to complete the master planned expansion is to abandon portions of Harvey Road and Brailsfort Street. If the right-of-way was abandoned and the applicant replatted the property without any supplemental requests, the City's Subdivision regulations would require that Brailsfort be terminated in a cul-de-sac. The applicant is requesting a variance to preserve a connection between the new private east-west street and Brailsfort. The connection would provide better traffic mobility for the school campus as well as neighboring properties. The variance is justified because the result is in the best interests of the applicant and community.

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

The applicant is submitting a replat and JRC request that will enable them to expand their campus by abandoning the public rights-of-way that cross through their site. If the applicant abides by the strict regulations in the Subdivision Ordinance, they would be required to terminate Brailsfort with a cul-de-sac. The applicant believes that connecting their new east-west private street to Brailsfort Street is more beneficial to the public and their campus than providing a cul-de-sac.

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

Connecting Brailsfort Street to the new east-west street will be better for traffic mobility and less injurious to the public's welfare. The connection would maintain the same level of traffic circulation and give the expanded campus more access points and safe paths of travel for families walking home. If the City requires a cul-de-sac on Brailsfort in lieu of the connection, it will almost certainly turn in to an isolated area that promotes criminal activity such as illegal dumping – which the current vacant properties in the area struggle with.

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

Economic hardship is not the justification for the variance. Maintaining adequate traffic flow for Yellowstone Academy and the surrounding community is the driving force behind the request. While some of the public right-of-way is being abandoned to facilitate the much-needed expansion, preserving a connection to the public portion of Brailsfort Street is the most sensible and beneficial approach for the applicant and the community.



# 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](http://www.houstontx.gov)

May 21, 2020

## NOTICE OF VARIANCE REQUEST

**PROJECT NAME:** Yellowstone Academy Campus

**REFERENCE NUMBER:** 2020-0835

**ROR/VAR**

Dear Property Owner:

The Planning and Development Department has received a subdivision plat application with a variance request for a property bound by Trulley Briley, and Sauer Streets. 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.

Windrose, the applicant, has filed the request on behalf of the developer of the subject site. The applicant is requesting a reconsideration of requirement with variance to terminate Brailsfort Street without a vehicular turnaround, while using the end of the street to access the site. Enclosed are copies of the reconsideration of requirement, variance request and the proposed subdivision plat 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.

### Virtual Planning Commission Meeting

**Thursday, May 28, 2020, at 2:30 p.m.**

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Robert Gallegos Edward Pollard Martha Castex-Tatum Mike Knox David W. Robinson Michael Kubosh Letitia Plummer Sallie Alcorn  
Controller: Chris B. Brown



1. Send email to: [speakercomments.pc@houstontx.gov](mailto:speakercomments.pc@houstontx.gov),

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For additional information regarding this project, please call Jeff Boutte with Windrose at 713-458-2281. You may also contact Geoff Butler with the Planning and Development Department regarding this notice via email at [planning.variances@houstontx.gov](mailto:planning.variances@houstontx.gov) or call (832)393-6600. To view the complete Planning Commission meeting agenda, go to [www.houstonplanning.com](http://www.houstonplanning.com). Information on the reverse side of this page explains more about the terminology used in this letter.

THE PLAT MAY BE DEFERRED. THE NEW DATE FOR COMMISSION ACTION WILL BE INDICATED ON THE POSTED SIGN(S) THE MONDAY 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.

## **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.

# CITY OF HOUSTON

HOUSTON PLANNING COMMISSION  
PLANNING & DEVELOPMENT DEPARTMENT

Planning Commission  
Meeting Date: 05/28/20

**ITEM: 127**

**Applicant:** CLARIBEL MONTOYA  
**Contact Person:** CARLOS PARRA

Location	File No.	Zip	Lamb. No.	Key Map	City/ETJ
	20-1530	77357	5874	257M	ETJ
NORTH OF: FM 1485 WEST OF: DEER RUN					

**ADDRESS:** 26307 Hunters Trail

**ACREAGE:** 0.914

**LEGAL DESCRIPTION:**

LOT 594, LOT 596, LOT 597, AND LOT 598 OF PEACH CREEK FOREST, SECTION THREE, BEING AN UNRECORDED SUBDIVISION SITUATED IN THE CHRISTOPHER BRYAN SURVEY, ABSTRACT NO. 75, MONTGOMERY COUNTY, TEXAS.

**PURPOSE OF REQUEST:** Residence

## STAFF REPORT

**STAFF RECOMMENDATION:** Approve

**BASIS OF RECOMMENDATION:**

**ADDITIONAL INFORMATION**

**PLANNING COMMISSION ACTION:**

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

**ADDITIONAL FINDINGS BY PLANNING COMMISSION:**

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# CERTIFICATE OF COMPLIANCE

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# CITY OF HOUSTON

HOUSTON PLANNING COMMISSION  
PLANNING & DEVELOPMENT DEPARTMENT

Planning Commission  
Meeting Date: 05/28/20

**ITEM: 128**

**Applicant:** MERLEN RUBI BOTELLO  
**Contact Person:** MATTHEW JOHNSON

Location	File No.	Zip	Lamb. No.	Key Map	City/ ETJ
<b>SOUTH OF: MILLS BRANCH WEST OF: US 59</b>	<b>20-1531</b>	77365	5671	259R	ETJ

**ADDRESS:** 20647 Ravenwood Ct.

**ACREAGE:**

**LEGAL DESCRIPTION:**

LOT 59 AND LOT 60 IN RAVENWOOD SUBDIVISION AN UNRECORDED SUBDIVISION OUT OF TITLE ROBERT T HOWELL SURVEY, ABSTRACT NO. 254, MONTGOMERY COUNTY, TEXAS.

**PURPOSE OF REQUEST:** Mobile Home

## STAFF REPORT

**STAFF RECOMMENDATION:** Approve

**BASIS OF RECOMMENDATION:**

**ADDITIONAL INFORMATION**

**PLANNING COMMISSION ACTION:**

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

**ADDITIONAL FINDINGS BY PLANNING COMMISSION:**

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## CERTIFICATE OF COMPLIANCE

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## 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 3<sup>rd</sup> 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](http://www.houstonplanning.com).*

APPLICANT COMPANY	CONTACT PERSON	PHONE NUMBER	EMAIL ADDRESS		
3D HOUZZ DESIGN	ANA MONSALVO	281-748-3715	ana@3dhouzzdesign.com		
PROPERTY ADDRESS	FILE NUMBER	ZIP CODE	LAMBERT	KEY MAP	DISTRICT
1301 – 1303 CAVALCADE ST	20038967	77009			HARRIS

**HCAD ACCOUNT NUMBER(S):** 0311330000005

**PROPERTY LEGAL DESCRIPTION:** TRS 4A &5A BLK 133 RYON

**PROPERTY OWNER OF RECORD:** MADISON OZ LLC

**ACREAGE (SQUARE FEET):** 10,000 sqft

**WIDTH OF RIGHTS-OF-WAY:** 60' R.O.W

**EXISTING PAVING SECTION(S):**

**OFF-STREET PARKING REQUIREMENT:**

**OFF-STREET PARKING PROVIDED:**

**LANDSCAPING REQUIREMENTS:** 1 TREE PER UNIT

**LANDSCAPING PROVIDED:** NEW FOUR 3" CALIPER TREE

**EXISTING STRUCTURE(S) [TYPE; SQ. FT.]:** NONE

**PROPOSED STRUCTURE(S) [TYPE; SQ. FT.]:** 1 DUPLEX 3,883 SQ.FT AND 1 DUPLEX 3,688 SQ.FT

**PURPOSE OF VARIANCE REQUEST:** to allow a 10' building line along Cavalcade Street, in lieu of the required 25' building line for a new duplex.

**CHAPTER 42 REFERENCE(S):** 42-150 Building line requirement. A 25' Building line is required for structures adjacent to a Major Thoroughfare.

## DEVELOPMENT PLAT VARIANCE



## Houston Planning Commission

### APPLICANT'S STATEMENT OF FACTS

**SUMMARY OF VARIANCE CONDITIONS (BE AS COMPLETE AS POSSIBLE):** We are proposing 2 duplexes (4 units) each with a garage, with 2 units on each lot, to be built on this vacant lot on Cavalcade St. As Cavalcade is a major thoroughfare, there is currently a 25' building line setback that would prevent us from building the intended units on each lot. With the current rules in place, it would not be feasible to build 4 units on this lot without building higher vertical units, that do not match the architecture of the current surrounding houses. We will be adding 6' sidewalks and several new trees to improve both the look and safety for the surrounding public. No physical or economic hardship would be imposed on the area, and it would increase surrounding property values.

*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**  
Yes, because we can't develop the project with the two (2) duplex that we want to build in the lot.

- (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;**

If we keep the 25' on the principal street (Cavalcade), we can not develop the lot with the two (2) duplex and one share driveway of 16' wide, and to keep the 3' building line of the back with the neighbor.

- (2) **The circumstances supporting the granting of the variance are not the result of a hardship created or imposed by the applicant;**  
The applicant has not created or imposed any hardship for the requirement variance. This is for a new project at required for a successful development and there is not hardship created or imposed by the applicant.

- (3) **The intent and general purposes of this chapter will be preserved and maintained;**  
We are proposing 2 duplexes (4 units) each with a garage, with 2 units on each lot, to be built on this vacant lot on Cavalcade St. As Cavalcade is a major thoroughfare, there is currently a 25' building line setback that would prevent us from building the intended units on each lot. With the current rules in place, it would not be feasible to build 4 units on this lot without building higher vertical units, that do not match the architecture of the current surrounding houses. We will be adding 6' sidewalks and several new

## DEVELOPMENT PLAT VARIANCE



## Houston Planning Commission

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trees to improve both the look and safety for the surrounding public. No physical or economic hardship would be imposed on the area, and it would increase surrounding property values.

- (4) **The granting of the variance will not be injurious to the public health, safety or welfare;**  
No, on the contrary it will help to give a better view of the main street and its surroundings. Improving public space with the proposed sidewalk and the new trees.
  
- (5) **Economic hardship is not the sole justification of the variance.**  
No, the economic hardship is not the sole justification of the variance. We want to develop the lot the best way to keep the surrounding and improved the area with new construction, giving the neighborhood a better view.

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# DEVELOPMENT PLAT VARIANCE



## Houston Planning Commission

Location Map



## DEVELOPMENT PLAT VARIANCE





PLANNING &  
DEVELOPMENT  
DEPARTMENT

**ITEM: 129**

Meeting Date: 05/28/2020

## Houston Planning Commission

Aerial



## DEVELOPMENT PLAT VARIANCE





## Houston Planning Commission

### Elevations



# 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 3<sup>rd</sup> 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](http://www.houstonplanning.com).

APPLICANT COMPANY	CONTACT PERSON	PHONE NUMBER	EMAIL ADDRESS		
Brooks Hill Construction LLC	Justin Hill	713-307-5139	<a href="mailto:Jhill9@gmail.com">Jhill9@gmail.com</a>		
PROPERTY ADDRESS	FILE NUMBER	ZIP CODE	LAMBERT	KEY MAP	DISTRICT
5230 Redstart St.	20013192	77035	5153D	531X	K

**HCAD ACCOUNT NUMBER(S):** 0840150000026  
**PROPERTY LEGAL DESCRIPTION:** Lot 26, Block 12, Westbury Sec 1 R/P  
**PROPERTY OWNER OF RECORD:** Justin Brooks Hill  
**ACREAGE (SQUARE FEET):** 9,960SF  
**WIDTH OF RIGHTS-OF-WAY:** Redstart Street; (60 feet); Endicott Lane (60 feet)  
**EXISTING PAVING SECTION(S):** Redstart Street; (26 feet); Endicott Lane (24 feet)  
**OFF-STREET PARKING REQUIREMENT:** Complies  
**OFF-STREET PARKING PROVIDED:** Complies  
**LANDSCAPING REQUIREMENTS:** Complies  
**LANDSCAPING PROVIDED:** Complies

**EXISTING STRUCTURE(S) [TYPE; SQ. FT.]:** House = 1920SF, Garage = 483SF

**PROPOSED STRUCTURE(S) [TYPE; SQ. FT.]:** House addition = 170 SF, Garage addition = 577SF

**PURPOSE OF VARIANCE REQUEST:** To have a reduced garage building line variance of 10', instead of the ordinance required 20' garage building line, along Endicott Lane a local street.

**CHAPTER 42 REFERENCE(S):** Sec. 42-156. - Building line requirement - Collector and Local Streets(c) Notwithstanding the other provisions of this section, the building line requirement for a lot restricted to single-family residential use shall be 20 feet for a garage or carport facing the street, except as provided in subsection (b) of [section 42-157](#) of this Code.

## DEVELOPMENT PLAT VARIANCE





## Houston Planning Commission

### APPLICANT'S STATEMENT OF FACTS

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

Ordinance states, the building line requirement for a subdivision or development in the city-restricted to single-family residential use adjacent to a collector street or a local street that is not an alley shall be: Notwithstanding the other provisions of this section, 17 feet for a garage or carport facing the street. Westbury neighborhood was created in the 1950's and all homes built with garages facing the street have a setback of 10 feet from the building line and 27 feet from street.

*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**

Moving the garage from setback of 10 feet to 17 feet would position the garage near the center of the back yard of the property. Rendering the backyard of the home essentially unusable space due to the fact the garage would almost be touching the opposite side of the home.

- (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;**

All homes in the neighborhood have garages setback 10 feet from the building line. If my garage is required to be setback 17 feet it would create an ununiformed look in the neighborhood. The Homeowners Association has already approved my plans since the new garage would keep with the uniformity of the neighborhood. This chapter would essentially be changing the look of the neighborhood and potentially lowering the property value of all surrounding homes due to the visual difference and homes would no longer have a usable back yard.

## DEVELOPMENT PLAT VARIANCE



## Houston Planning Commission

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

Not granting the variance will create a visually unappealing look to the Westbury neighborhood since this property would be the only garage with a 17-foot setback from the property line. This in turn could create a property value decrease on the surrounding neighbors' due to the uniformity.

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

The garage having the setback of 10 feet from the building line places the garage 27 feet from the street. Leaving the garage at a setback of 10 feet still preserves the purpose of the chapter due to 27 feet from street to garage provides adequate space for collectors and parking on the driveway without congestion.

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

Providing a variance to maintain the 10-foot setback would not affect the public health, safety, or welfare. It would maintain the consistent look of the neighborhood and preserving the look the Home Owners Association has fought so hard to keep for almost 70 years.

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

The purpose for replacing the garage is due to a cracked foundation and to provide a large enough garage to follow the Americans Disability Act by accommodating wheelchair accessible vehicles while maintaining the consistent visual appearance of the neighborhood.

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## DEVELOPMENT PLAT VARIANCE



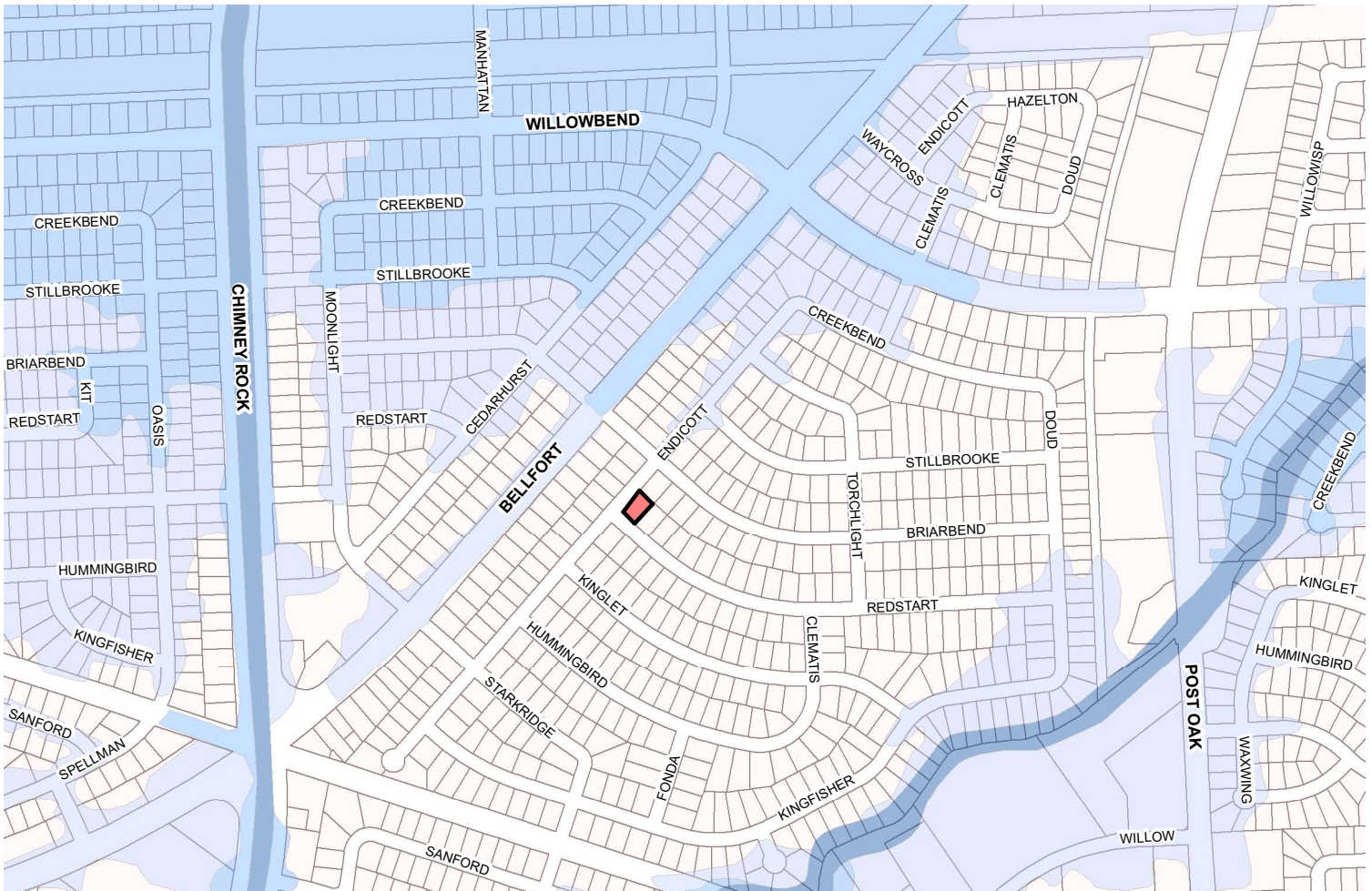
PLANNING &  
DEVELOPMENT  
DEPARTMENT

**ITEM: 130**

Meeting Date: 05/28/2020

## Houston Planning Commission

Location Map



## DEVELOPMENT PLAT VARIANCE





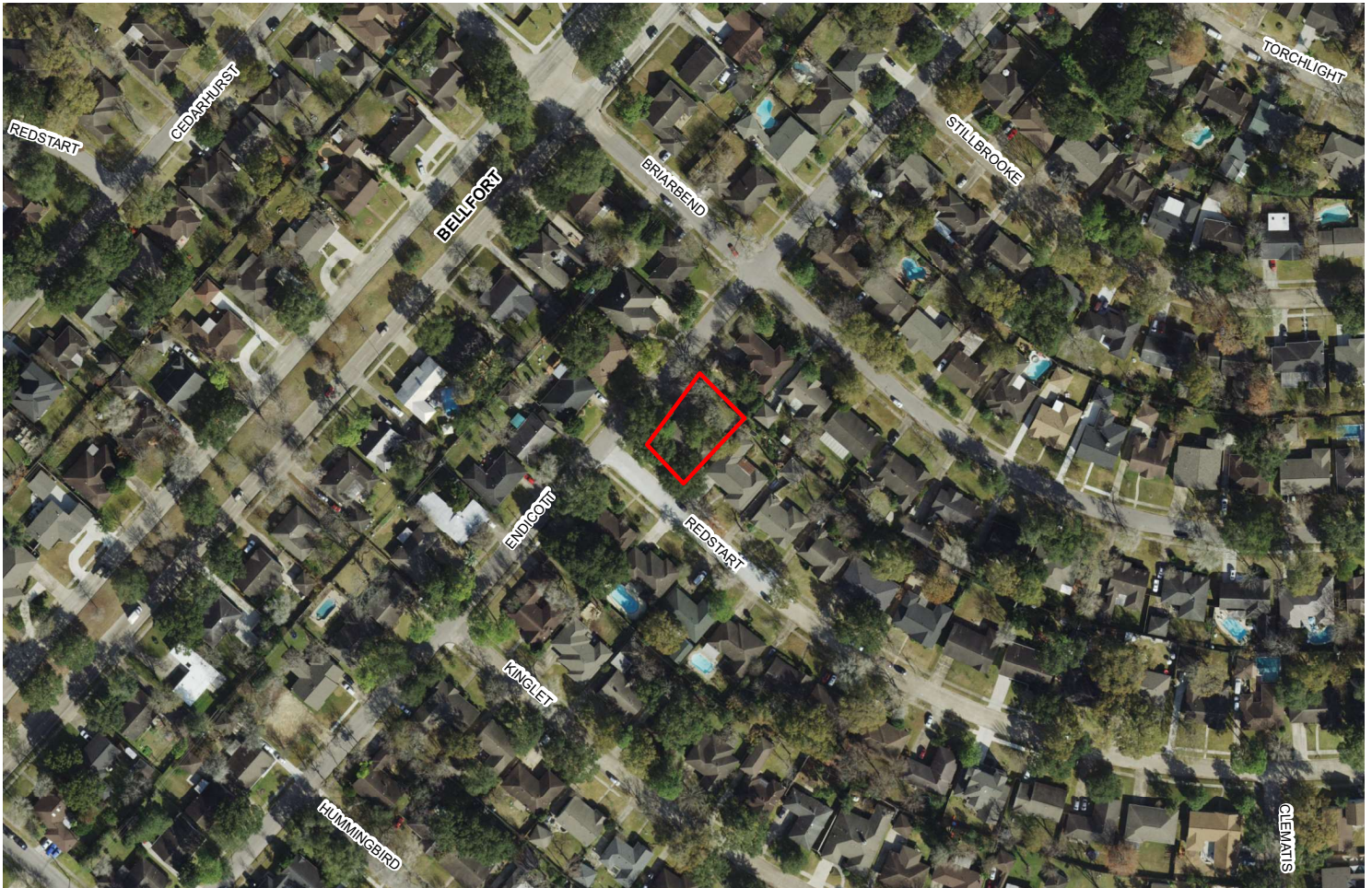
PLANNING &  
DEVELOPMENT  
DEPARTMENT

**ITEM: 130**

Meeting Date: 05/28/2020

## Houston Planning Commission

Aerial Map



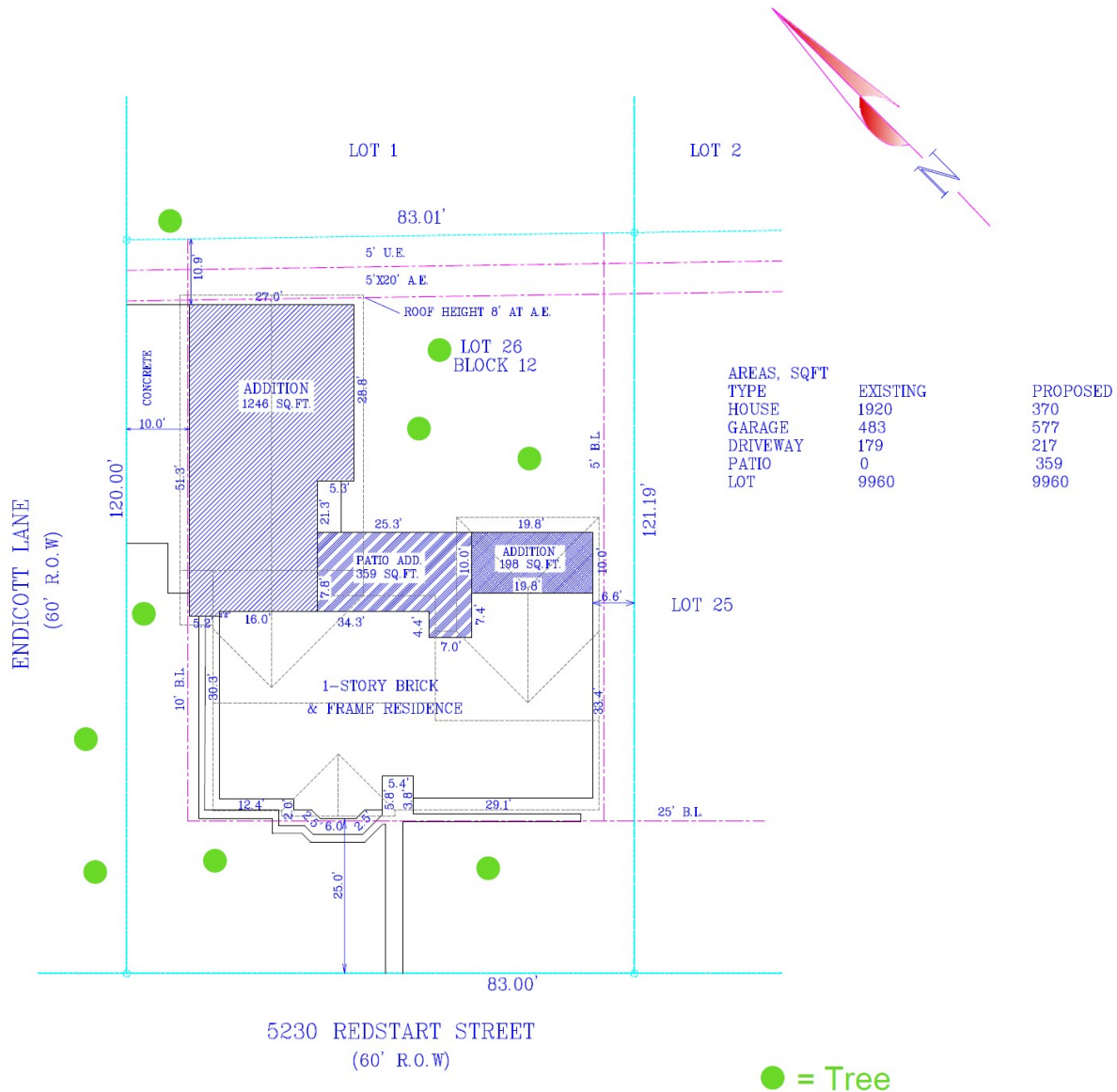
## DEVELOPMENT PLAT VARIANCE





## Houston Planning Commission

Site Plan



PROPOSED SITE PLAN

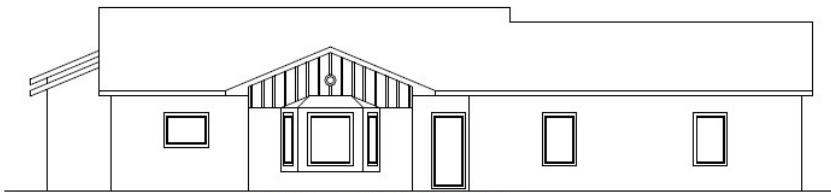
# DEVELOPMENT PLAT VARIANCE



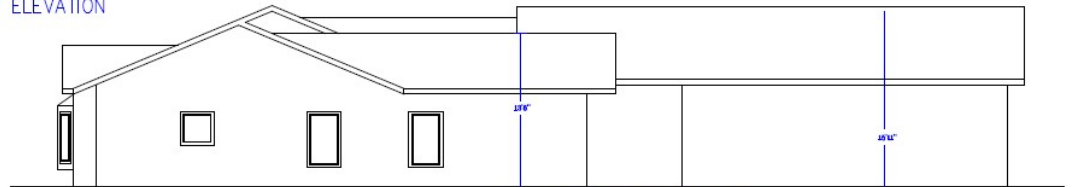


## Houston Planning Commission

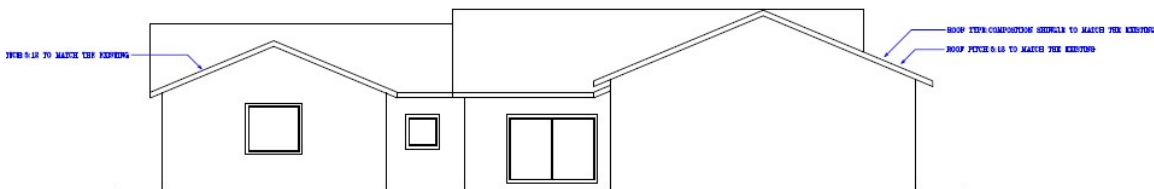
### Elevations



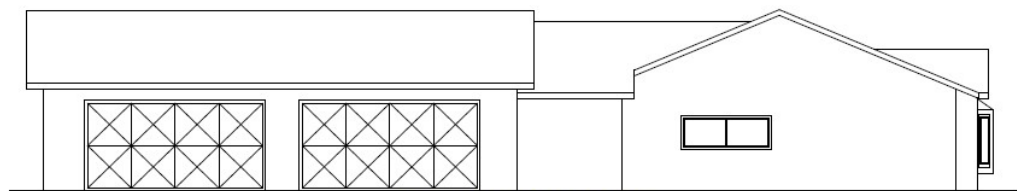
PROPOSED FRONT ELEVATION



PROPOSED RIGHT ELEVATION



PROPOSED BACK ELEVATION



PROPOSED LEFT 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 [planning.variances@houston.tx.gov](mailto:planning.variances@houston.tx.gov) 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](http://www.houstonplanning.com).

APPLICANT COMPANY	CONTACT PERSON	PHONE NUMBER	EMAIL ADDRESS		
Owens Management Systems, LLC	Joyce Owens	713-643-6333	jo@omsbuild.com		
PROPERTY ADDRESS	FILE NUMBER	ZIP CODE	LAMBERT	KEY MAP	DISTRICT
2015 Stevens	19126048	77026	5458D	494A	B
HCAD ACCOUNT NUMBER(S):		033-173-000-0006			
PROPERTY LEGAL DESCRIPTION:		Lot 6, Block 13, Parker Smith			
PROPERTY OWNER OF RECORD:		Fifth Ward Community Redevelopment Corporation			
ACREAGE (SQUARE FEET):		0.146 acres (6,339 sf)			
WIDTH OF RIGHTS-OF-WAY:		Stevens Street; (60 feet); Noble Street (60 feet)			
EXISTING PAVING SECTION(S):		Stevens Street; (21.7 feet) & Noble Street (37 feet)			
OFF-STREET PARKING REQUIREMENT:		2 spaces			
OFF-STREET PARKING PROVIDED:		2 spaces			
LANDSCAPING REQUIREMENTS:		Complies			
LANDSCAPING PROVIDED:		Complies			
EXISTING STRUCTURE(S) [TYPE; SQ. FT.]:		Vacant			
PROPOSED STRUCTURE(S) [TYPE; SQ. FT.]:		Single-family dwelling – 1142 sf living/1614 covered			

**PURPOSE OF VARIANCE REQUEST:** To have a reduced building line variance of 4', instead of the ordinance required 10' building line, along Noble Street a local street.

**CHAPTER 42 REFERENCE(S):** Sec. 42-156. - Building line requirement - Collector and Local Streets(b) Except as otherwise required or authorized by this chapter, the building line requirement for a lot restricted to single-family residential use along a local street that is not an alley shall be(2) 10 feet if the subdivision plat contains a typical lot layout and the subdivision plat contains plat notations that reflect the requirements of this section.

## DEVELOPMENT PLAT VARIANCE





## Houston Planning Commission

### APPLICANT'S STATEMENT OF FACTS

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

Construction plans for 2015 Stevens were approved 1-21-20 under project number 19126048 for one single-family dwelling at the corner of Noble and Stevens. At the time of lot staking, it was discovered that the existing house on the adjacent lot, 2015 Stevens, was encroaching the property line 0.6 feet, gas meter 1.6 feet and electric meter 1.3 feet. The encroachment was not shown on the original boundary survey that was attached to the construction plans. Parker Smith Amending Plat No 1 was approved to move the interior lot line 4.5 to remove the encroachment. The existing interior lot line fence encroachment will be removed.

*The applicant must clearly identify how the requested variance meets the criteria in either (1a) or (1b) and ALL items (2) through (5). The information provided will be used to evaluate the merits of the request. An electronic copy of any supporting documentation reference within the "Applicant's Statement of Facts" should be emailed to the Planning Department at [planning.variances@houstontx.gov](mailto:planning.variances@houstontx.gov).*

**(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;**

The approved plans complied with Chapter 42 10-foot building line. On Noble Street is a 60' ROW with 37.1' paved section, curb and gutter. The distance from the back of curb to the property line is 15.7 feet. Steven is a 60' ROW with 21.7' paved section, open ditch. The distance from the edge of paving to the property line is 18.6. Both lots were originally platted as 50' along Stevens. The Parker Smith Amending Plat No 1 reduced the subject lot to 45.5' along Stevens Street to remove the encroachment. The width of the house is 37 feet. With a 3' interior building line. A 4- foot building line on Noble will allow the proposed structure to be 19.7' from the property line.

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

The existing house at 2011 Stevens was constructed in 1935 and remodeled in 2006. It was unknown that there was an encroachment since the previous house on the corner lot fronted on Noble Street, 2512 Noble. The new address is 2015 Stevens. The encroachments were unknown until the land was being prepared to set forms for the foundation.

## DEVELOPMENT PLAT VARIANCE



## Houston Planning Commission

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

The 4-foot building line along Noble will create 19.7 feet from the back of curb to the structure. There is no vehicular access from Noble Street.

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

The Amending plat includes the required 3 feet for CenterPoint to service utilities for 2011 Stevens. The existing interior fence will be relocated to the property line. The new house driveway is located on Stevens Street. The existing driveways on Noble will be removed.

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

The only solution was to move the lot line to remove encroachment.

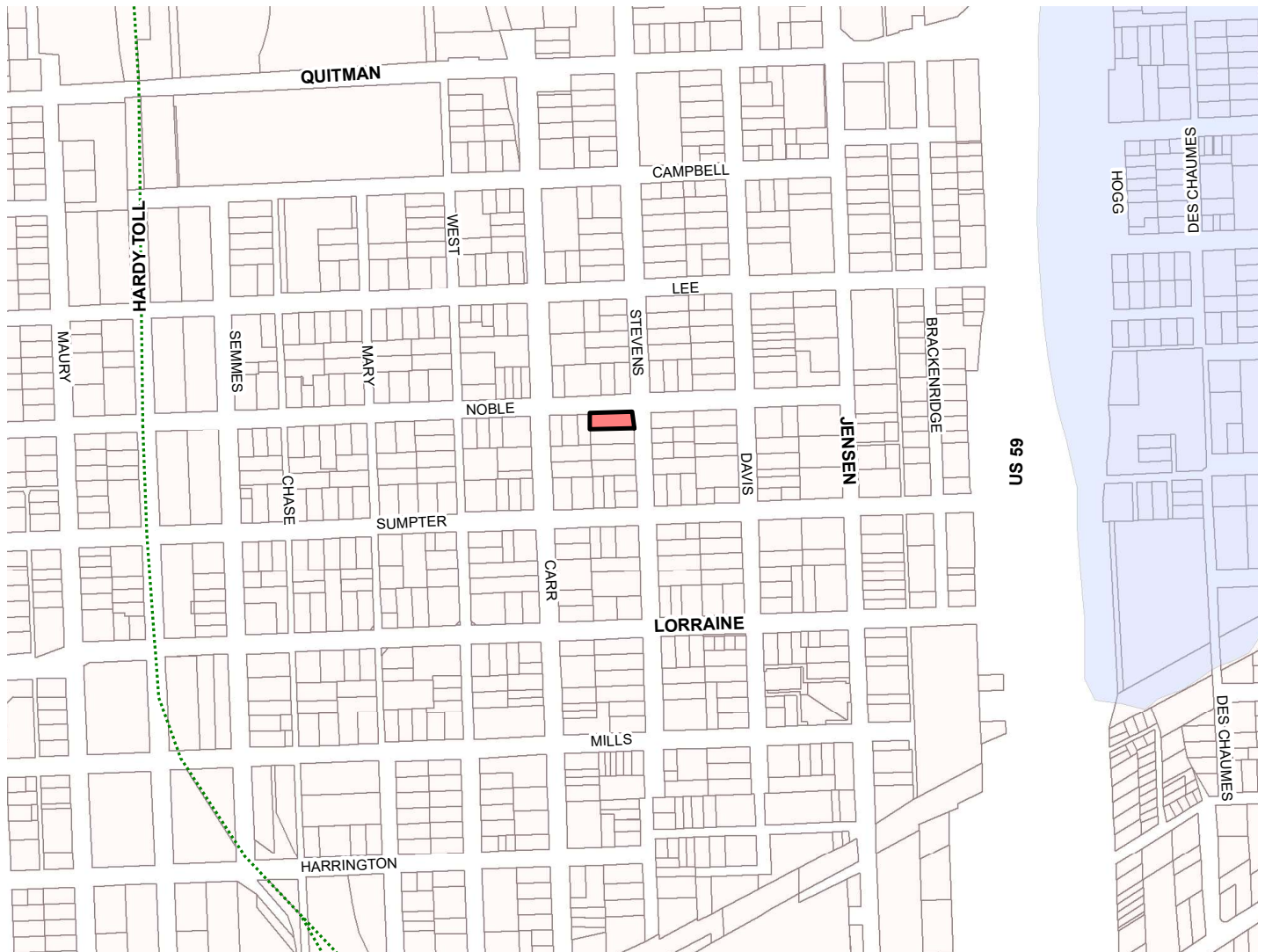
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# DEVELOPMENT PLAT VARIANCE



## Houston Planning Commission

Location Map



# DEVELOPMENT PLAT VARIANCE





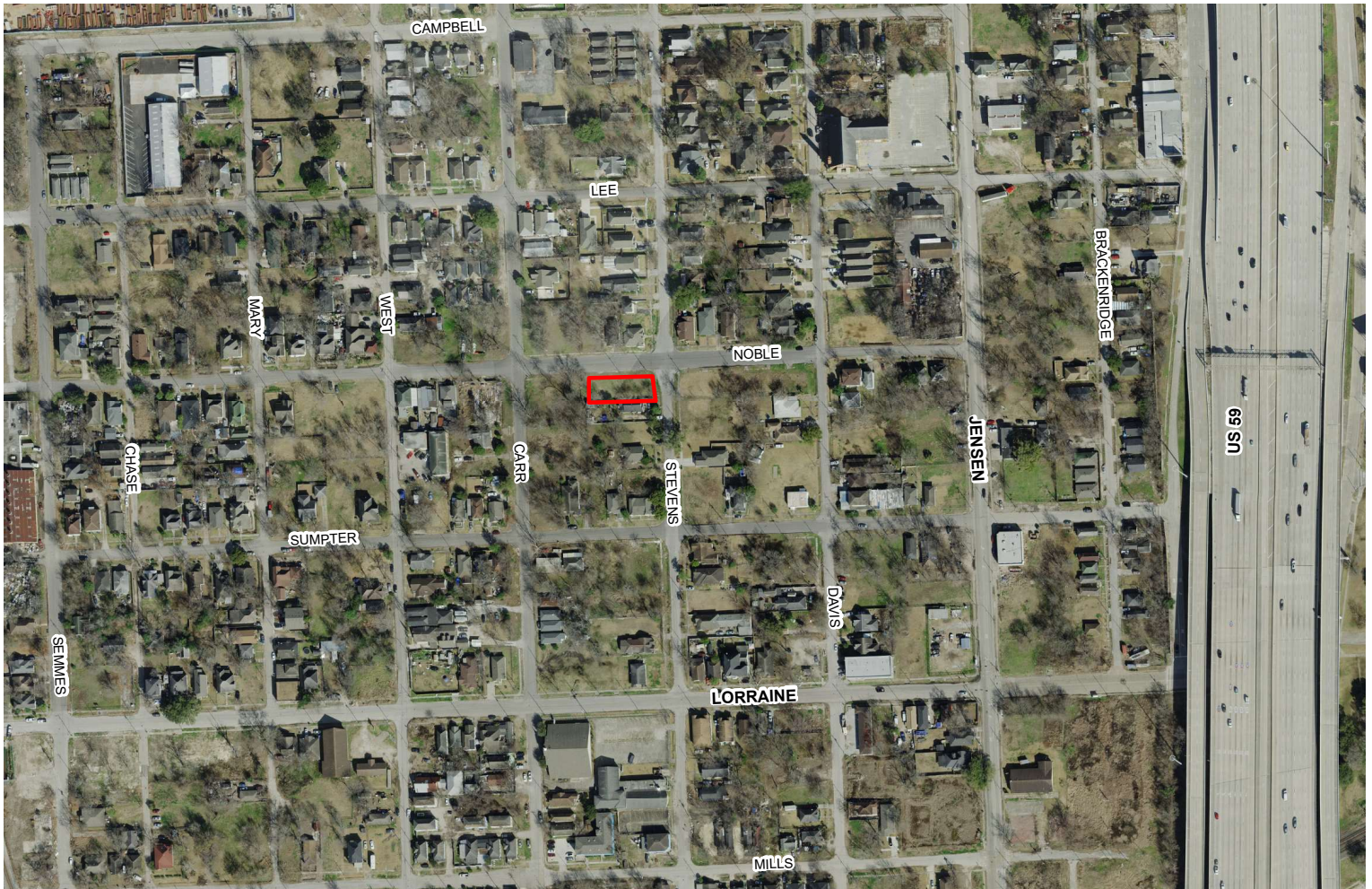
PLANNING &  
DEVELOPMENT  
DEPARTMENT

**ITEM: 131**

Meeting Date: 05/28/2020

## Houston Planning Commission

Aerial Map



# DEVELOPMENT PLAT VARIANCE



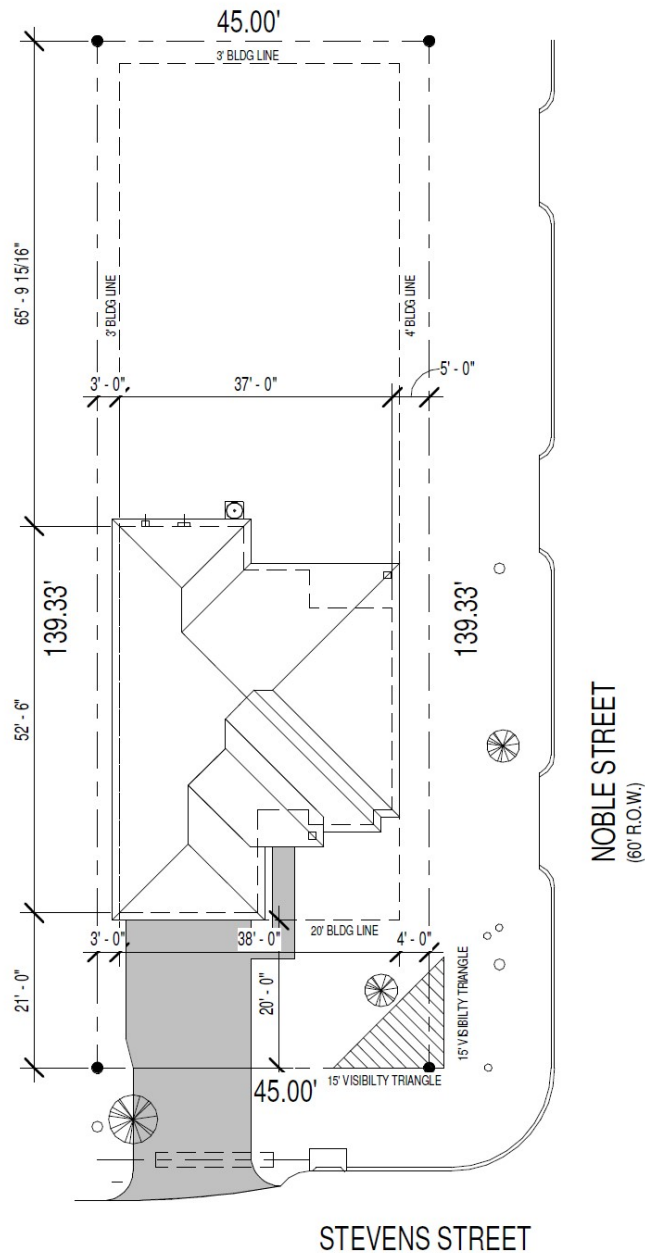


## Houston Planning Commission

**ITEM: 131**

Meeting Date: 05/28/2020

Site Plan



### LEGAL DESCRIPTION

LOT 6 BLOCK 13  
PARKER SMITH  
2015 NOBLE STREET  
HOUSTON, TEXAS 77026



① SITE PLAN variance  
1" = 20'-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 the Planning & Development Department at 1002 Washington Avenue 3<sup>rd</sup> 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](http://www.houstonplanning.com).

APPLICANT COMPANY	CONTACT PERSON	PHONE NUMBER	EMAIL ADDRESS
Lavender House Holdings, LLC	Pilar Jones	(832) 264-2364	pilarajones@gmail.com

PROPERTY ADDRESS	FILE NUMBER	ZIP CODE	LAMBERT	KEY MAP	DISTRICT
1348 Heights Blvd, Houston, TX	20041771	77008	5359	453W	C

HCAD ACCOUNT NUMBER(S):	020160000024
PROPERTY LEGAL DESCRIPTION:	LT 24 & TR 23A BLK 170 Houston Heights
PROPERTY OWNER OF RECORD:	Jessica Guerrero & Summer Reeves
ACREAGE (SQUARE FEET):	7,838 SF
WIDTH OF RIGHTS-OF-WAY:	Heights Blvd; (150 feet); E 14 <sup>th</sup> Street (70 feet)
EXISTING PAVING SECTION(S):	Heights Blvd; (60 feet); E 14 <sup>th</sup> Street (35 feet)
OFF-STREET PARKING REQUIREMENT:	5 spaces
OFF-STREET PARKING PROVIDED:	3 spaces
LANDSCAPING REQUIREMENTS:	Complies

EXISTING STRUCTURE(S) [SQ. FT.]:	2,546 SF Existing structure to remain.
PROPOSED STRUCTURE(S) [SQ. FT.]:	2,546 SF Existing structure to remain.

**PURPOSE OF VARIANCE REQUEST:** To reduce the parking requirement; to allow adaptive reuse of the existing residential building to office, from 5 required parking spaces to 3 parking spaces provided onsite.

**CHAPTER 26 REFERENCE(S):** Sec. 26-492 Class 1(A) – Office 2.75 parking spaces for every 1,000 square feet of gross floor area (UFA).

## OFF-STREET PARKING VARIANCE



## Houston Planning Commission

### APPLICANT STATEMENT OF FACTS

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

The intended use of the property is for both office and single-family residential. The office portion is the larger structure on the property adjacent to Heights Boulevard, while the residential portion is the apartment above the garage. Per Section 26-492, the required parking for an office classification is 2.5 parking spaces for every 1,000 square feet of GFA or 2.75 parking spaces for every 1,000 square feet of UFA. For a single-family residence, 2 parking spaces for each dwelling unit are required. The gross floor area of the proposed office space is 1,824 square feet and the usable floor area is 1,308 square feet per the definitions in Section 26-472. According to this metric, the required number of parking spaces would be 4.56 spaces for the office space and 2 spaces for the residential space. Attached you will find a breakdown of this calculation. However, according to Section 26-498, the office parking requirements qualify for a 40% reduction as the property is designated as a contributing within a historic district. In addition, the site plan includes 5 bicycle parking spaces which qualifies for an additional 10% reduction per Section 26-583. After accounting for these reductions, the required number of parking spaces is 4.46 spaces, which is rounded to 4 spaces per Section 26-491. The property can currently accommodate 3 parking spaces with 2 spaces in tandem which is appropriate for residential use per Section 26-582(c). The variance request is for a reduction of 1 off-street parking space.

Once the parking analysis was completed, we looked for off-site parking to accommodate the required number of spots. We have exhausted all of our resources in search of a lease agreement with adjacent properties and businesses. We communicated with all neighboring business within the 500 foot shortest clearly delineated pedestrian route per Section 26-499 that have parking spaces meeting or exceeding our parking demands. Attached are the exhibits showing some of this correspondence. Much of our correspondence was on foot or over the phone including correspondence with The Heights Library, Sunny's, and Heights Funeral Home among others.

The location of the property along frequently used pedestrian bike and walking paths will generate a wealth of traffic on bike or foot. In addition, the Houston Metro bus stop number 6210 exists at the intersection of the property allowing visitors to conveniently arrive by bus. The abundance of alternative means of travel to the property will allow visitors to arrive without the need for vehicular parking.

#### 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.*

## OFF-STREET PARKING VARIANCE





## Houston Planning Commission

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- (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;**

Yes, given the proposed use of the property, providing the number of required spaces would not be possible without significant modifications. There are two existing buildings and one covered pergola, as well as two large, mature trees that would need to be demolished or moved to create drive access and/or new parking spaces. The set back at the front of the property along Heights Boulevard appears advantageous for additional parking, however, a car could not reasonably park then perform a 90 degree turn to drive forward out of the space resulting in the need to reverse out of the space onto a frequently traveled street. Parking in front of the building along Heights Boulevard may also obstruct the view of the building which could compromise the preservation of the historic structures and neighborhoods as governed by the Historic Office of Preservation.

- (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;**

No, the given site constraints are not a result of a hardship imposed by the applicant. As described above, relocation of the existing structures or large, mature trees would not benefit the applicant nor the city.

- (3) **The intent of this article is preserved;**

Yes, the intent is preserved. Through due-diligence in accordance with Chapter 26 we carefully reviewed off-street and off-site parking requirements and determined that three of the four parking spaces are achievable.

- (4) **The parking provided will be sufficient to serve the use for which it is intended;**

Yes, the parking provided is sufficient due to the small volume of occupants and the proposed use classification. The proximity to the highly used pedestrian trail along Heights Boulevard, the bikeway along 14<sup>th</sup> street, and bus stop 6210 provides adequate modes of transportation to and from the property.

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

No, granting the reduction will not impact the public health, safety or welfare. The proposed variance does not change the existing parking layout of the property which is currently acceptable as used. Means of egress and visibility will be preserved.

- (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.**

No, we are not seeking a certificate of appropriateness because we are not proposing changes to an existing building structure and are not constructing a new building or addition. We have contacted the Houston Historic Preservation Office to share our proposed use and floor plans, and received confirmation that the Historic Preservation Ordinance does not regulate this type of request.

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# 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





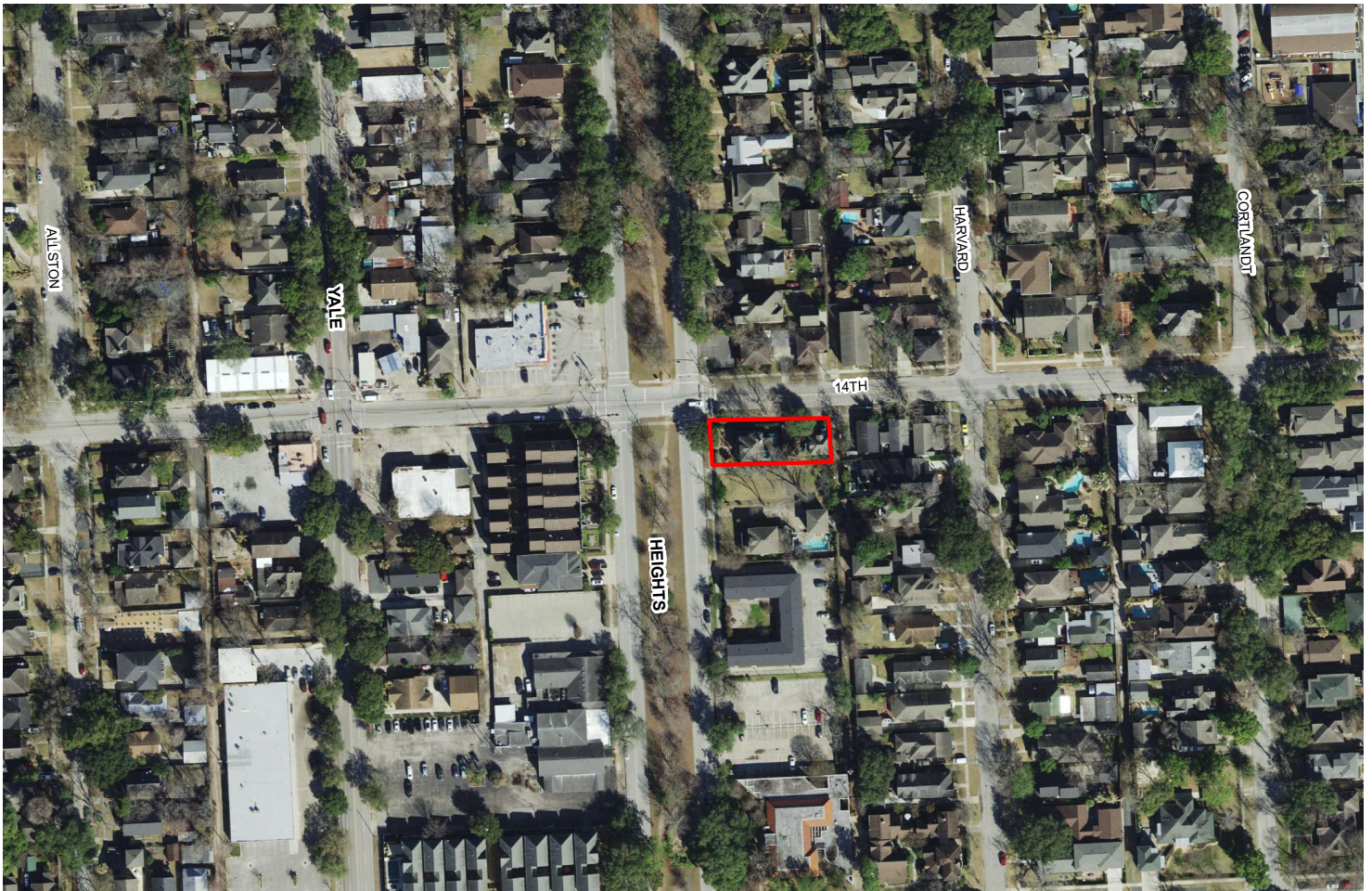


PLANNING &  
DEVELOPMENT  
DEPARTMENT

**ITEM: VI**  
Meeting Date: 05/28/2020

## Houston Planning Commission

AERIAL MAP



## OFF-STREET PARKING VARIANCE

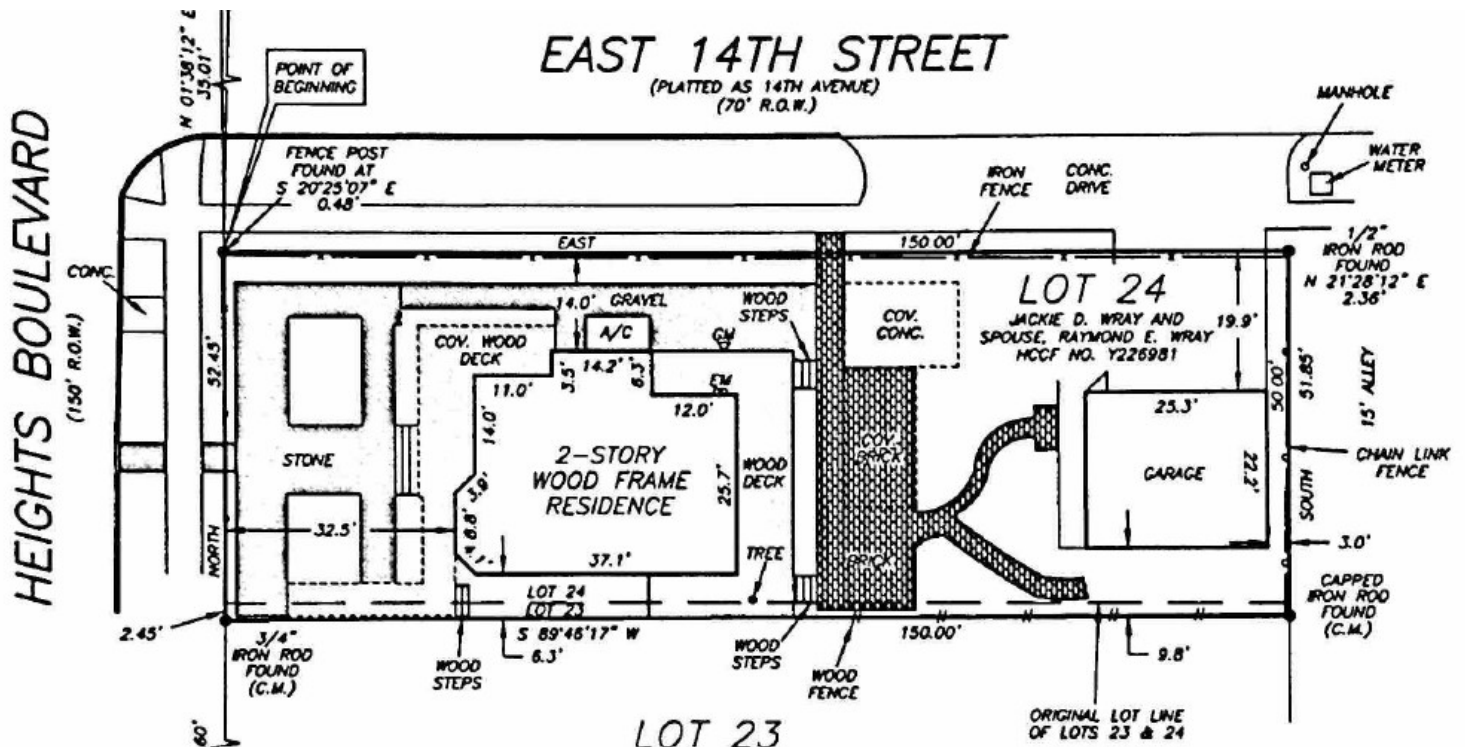






## Houston Planning Commission

SURVEY



## OFF-STREET PARKING VARIANCE



# Houston Planning Commission

**ITEM: VI**  
Meeting Date: 05/28/2020

## ELEVATIONS/PARKING ANALYSIS

### Parking Analysis 26-492

Occupancy	Required Parking	Per Unit (SqFT)	Required Parking	Per Unit (SqFT)	Gross Floor Area	Usable Floor Area	Total Spots Required
	GFA		UFA				
Office_Downstairs	2.5	1000	2.75	1000	1051	925	2.6275
Office_Upstairs	2.5	1000	2.75	1000	773	674	1.9325
Residential	2	Dwelling Unit	2	Dwelling Unit	498	498	2
Total					2841	2097	6.56
Historical Contributing Reduction*							2.736 Reduction to Office Parking per 26-498
<b>Final required parking</b>							<b>5</b> Spaces

\*Reduction applied to office occupancy only



# OFF-STREET PARKING 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 the Planning & Development Department at 1002 Washington Avenue 3<sup>rd</sup> 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](http://www.houstonplanning.com).

APPLICANT COMPANY	CONTACT PERSON	PHONE NUMBER	EMAIL ADDRESS
Lavender House Holdings, LLC	Pilar Jones	(832) 264-2364	pilarajones@gmail.com

PROPERTY ADDRESS	FILE NUMBER	ZIP CODE	LAMBERT	KEY MAP	DISTRICT
1348 Heights Blvd, Houston, TX	20041771	77008	5359	453W	C

HCAD ACCOUNT NUMBER(S):	020160000024
PROPERTY LEGAL DESCRIPTION:	LT 24 & TR 23A BLK 170 Houston Heights
PROPERTY OWNER OF RECORD:	Jessica Guerrero & Summer Reeves
ACREAGE (SQUARE FEET):	7,838 SF
WIDTH OF RIGHTS-OF-WAY:	Heights Blvd; (150 feet); E 14 <sup>th</sup> Street (70 feet)
EXISTING PAVING SECTION(S):	Heights Blvd; (60 feet); E 14 <sup>th</sup> Street (35 feet)
OFF-STREET PARKING REQUIREMENT:	5 spaces
OFF-STREET PARKING PROVIDED:	3 spaces
LANDSCAPING REQUIREMENTS:	Complies

EXISTING STRUCTURE(S) [SQ. FT.]:	2,546 SF Existing structure to remain.
PROPOSED STRUCTURE(S) [SQ. FT.]:	2,546 SF Existing structure to remain.

**PURPOSE OF VARIANCE REQUEST:** To reduce the parking requirement; to allow adaptive reuse of the existing residential building to office, from 5 required parking spaces to 3 parking spaces provided onsite.

**CHAPTER 26 REFERENCE(S):** Sec. 26-492 Class 1(A) – Office 2.75 parking spaces for every 1,000 square feet of gross floor area (UFA).

## OFF-STREET PARKING VARIANCE





## Houston Planning Commission

### APPLICANT STATEMENT OF FACTS

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

The intended use of the property is for both office and single-family residential. The office portion is the larger structure on the property adjacent to Heights Boulevard, while the residential portion is the apartment above the garage. Per Section 26-492, the required parking for an office classification is 2.5 parking spaces for every 1,000 square feet of GFA or 2.75 parking spaces for every 1,000 square feet of UFA. For a single-family residence, 2 parking spaces for each dwelling unit are required. The gross floor area of the proposed office space is 1,824 square feet and the usable floor area is 1,308 square feet per the definitions in Section 26-472. According to this metric, the required number of parking spaces would be 4.56 spaces for the office space and 2 spaces for the residential space. Attached you will find a breakdown of this calculation. However, according to Section 26-498, the office parking requirements qualify for a 40% reduction as the property is designated as a contributing within a historic district. In addition, the site plan includes 5 bicycle parking spaces which qualifies for an additional 10% reduction per Section 26-583. After accounting for these reductions, the required number of parking spaces is 4.46 spaces, which is rounded to 4 spaces per Section 26-491. The property can currently accommodate 3 parking spaces with 2 spaces in tandem which is appropriate for residential use per Section 26-582(c). The variance request is for a reduction of 1 off-street parking space.

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## OFF-STREET PARKING VARIANCE



## Houston Planning Commission

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# OFF-STREET PARKING VARIANCE



## Houston Planning Commission

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## OFF-STREET PARKING VARIANCE

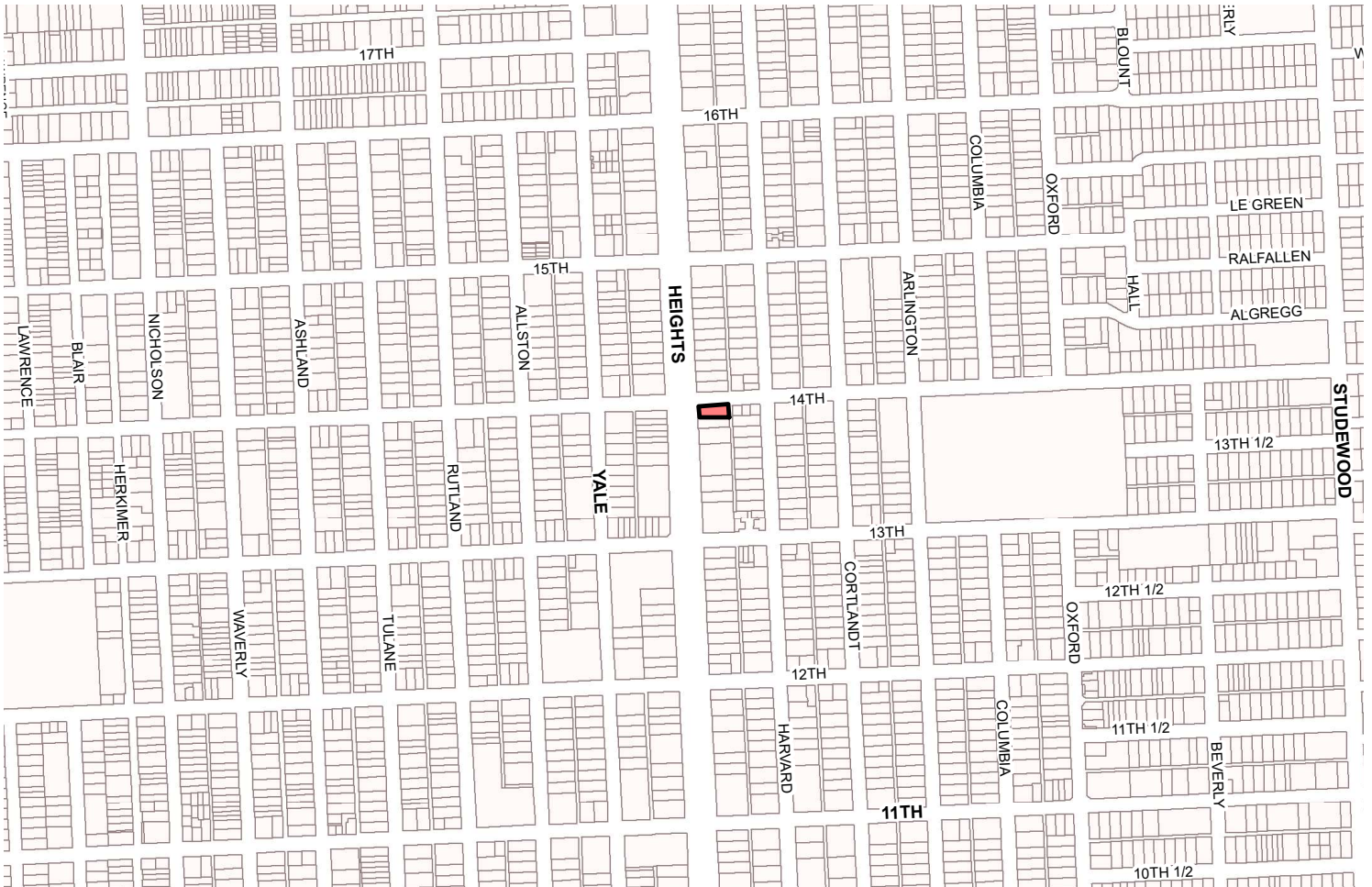


PLANNING &  
DEVELOPMENT  
DEPARTMENT

**ITEM: VII**  
Meeting Date: 05/28/2020

## Houston Planning Commission

LOCATION MAP



# OFF-STREET PARKING VARIANCE



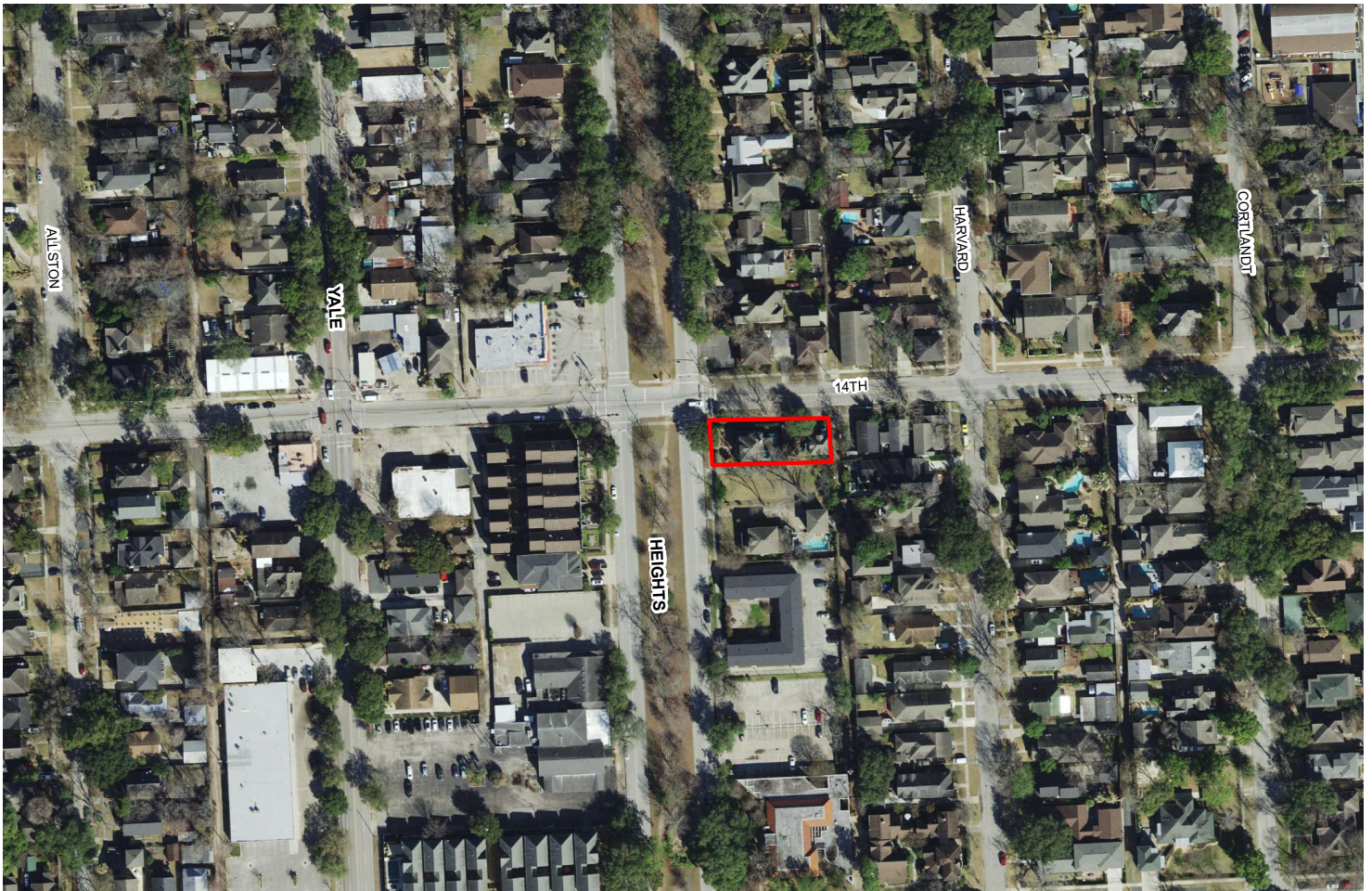


PLANNING &  
DEVELOPMENT  
DEPARTMENT

**ITEM: VII**  
Meeting Date: 05/28/2020

## Houston Planning Commission

AERIAL MAP



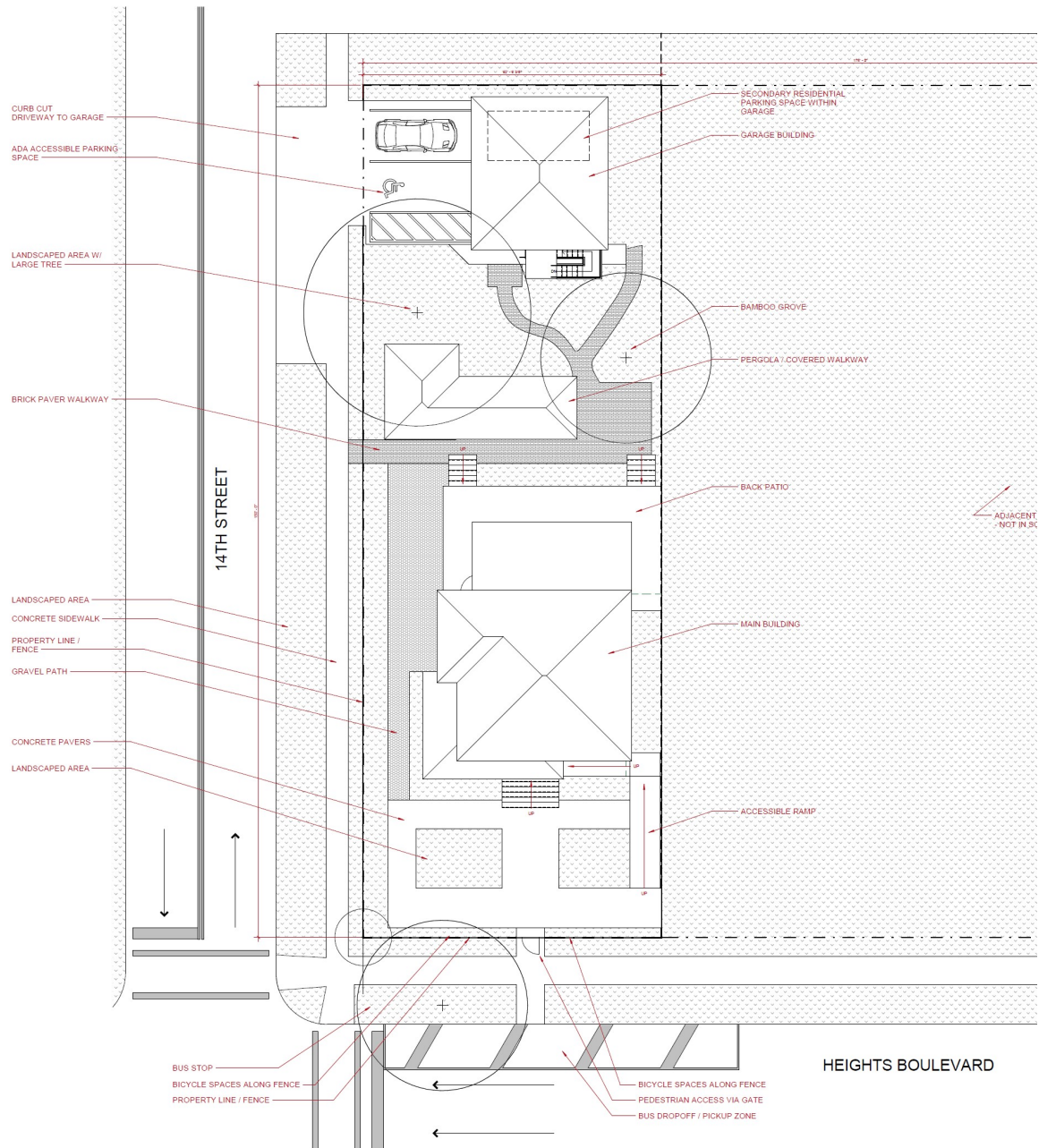
## OFF-STREET PARKING VARIANCE





## Houston Planning Commission

### SITE PLAN



# OFF-STREET PARKING VARIANCE





## Houston Planning Commission

**ITEM: VII**

Meeting Date: 05/28/2020

### ELEVATIONS/PARKING ANALYSIS

Parking Analysis  
**26-492**

Occupancy	Required Parking	Per Unit (SqFT)	Required Parking	Per Unit (SqFT)	Gross Floor Area	Usable Floor Area	Total Spots Required
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Final required parking							5 Spaces

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# OFF-STREET PARKING VARIANCE