

HOUSTON PLANNING COMMISSION

AGENDA

THURSDAY, AUGUST 6, 2020
2:30PM



VIRTUAL ELECTRONIC MEETING

Via: [Join Microsoft Teams Meeting](#)

WEB: <https://bit.ly/2Pd7UpG>

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

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, 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

E-mail us at:

Planning and Development

Anna.Sedillo@houstontx.gov

Plat Tracker Home Page:

www.HoustonPlatTracker.org



PLANNING & DEVELOPMENT DEPARTMENT

SPEAKER GUIDELINES

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. 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. 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 August 6, 2020 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/2Pd7UpG>); or
- Join via Phone: [+1 936-755-1521](tel:+19367551521) Conference ID: 285 411 221#

Visit website (ftp://edrc.houstontx.gov/2020/2020-16_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

August 6, 2020 2:30 p.m. via Microsoft Teams

Call to Order

Director's Report

Approval of the July 16, 2020 Major Thoroughfare and Freeway Plan Recommendation Meeting Minutes

Approval of the July 23, 2020 Planning Commission Meeting Minutes

I. Platting Activity (Subdivision and Development plats)

- Consent Subdivision Plats (John Cedillo)
- Replats (John Cedillo)
- Replats requiring Public Hearings with Notification (Dorianne Powe-Phlegm, Aracely Rodriguez)
- Subdivision Plats with Variance Requests (Aracely Rodriguez, Homero Guajardo Alegria, Geoff Butler, Tammi Williamson)
- Subdivision Plats with Special Exception Requests
- Reconsiderations of Requirement (Lyndy Morris)
- Extensions of Approval (John Cedillo)
- Name Changes (John Cedillo)
- Certificates of Compliance (John Cedillo)
- Administrative
- Development Plats with Variance Requests (Jose Mendoza, Geoff Butler)

II. Establish a public hearing date of September 3, 2020

- Blue Bonnet Estates partial replat no 3
- Joy Development School replat no 1
- Lamar Terrace partial replat no 9
- Meadow Creek Village Sec 1 partial replat no 2
- Southland Place partial replat no 3
- Willowcreek Ranch Sec 9 partial replat no 1

III. Consideration of an Off-Street Parking Variance for a property located at 1914 Summer Street (Eric Pietsch)

IV. Public Comment

V. Adjournment

**Minutes of the Houston Planning Commission
2020 Major Thoroughfare and Freeway Plan Amendments
Recommendations**

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

July 16, 2020

Telephonic/Videoconference Meeting held via Microsoft Teams <https://bit.ly/2xdLi3b>
2:30 p.m.

Call to Order

Chair Martha L. Stein called the meeting to order at 2:31 p.m. with a roll call vote and a quorum present.

Martha L. Stein, Chair

M. Sonny Garza, Vice Chair

David Abraham

Arrived at 2:34 p.m. during approval of Meeting Minutes

Susan Alleman

Bill Baldwin

Antoine Bryant

Absent

Lisa Clark

Arrived at 3:24 p.m. during item II D

Rodney Heisch

Randall L. Jones

Lydia Mares

Paul R. Nelson

Arrived 2:29 p.m. during item II A

Linda Porras-Pirtle

Kevin Robins

Ileana Rodriguez

Absent

Ian Rosenberg

Arrived 2:49 p.m. during item II A; Left at 4:28 p.m. before item II H

Megan R. Sigler

Zafar Tahir

Meera D. Victor

Scott Cain for

Commissioner James Noack

Maggie Dalton for

Absent

The Honorable KP George

Loyd Smith

The Honorable Lina Hidalgo

EXOFFICIO MEMBERS

Carol A. Lewis

Carol Haddock

Yuhayna H. Mahmud

Executive Secretary

Margaret Wallace Brown, Director, Planning and Development

CHAIR'S REPORT

NONE

DIRECTOR'S REPORT

NONE

APPROVAL OF THE JUNE 4, 2020 PLANNING COMMISSION MEETING MINUTES FROM THE 2020 MAJOR THOROUGHFARE AND FREEWAY PLAN AMENDMENTS PUBLIC HEARING

Commission Action: Approved the June 4, 2020 meeting minutes.

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

I. INTRODUCTION AND TERMINOLOGY

Presentation was given by Sharon Moses-Burnside, City of Houston Planning and Development Department.

II. MAJOR THOROUGHFARE AMENDMENT (MTFP) REQUESTS – Private Sector

A. Graceview Drive – EHRA Engineering

Presenter: Lauren Grove, City of Houston Planning and Development Department.

Staff recommendation: Approve realigning Graceview Drive (North/South Collector).

Commission action: Approved realigning Graceview Drive (North/South Collector).

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

Speakers: Chris Browne and Drew Stewart – supportive

B. Story Tract – META Planning + Design

Presenter: Lauren Grove, City of Houston Planning and Development Department.

1. Baethe Road – Withdrawn

Commissioner Mares returned to the meeting at 3:00 p.m.

2. Kermier Road

Staff recommendation: Approve reclassifying Kermier Rd. from (T-4-100 to MJ-2-100) between Baethe Rd. and Mound Rd. and approve adding Minor Collector (MN-2-80) connecting Kermier Rd. and Warren Ranch Rd/Mallard Crossing Dr.

Commission action: Approved reclassifying Kermier Rd. from (T-4-100 to MJ-2-100) between Baethe Rd. and Mound Rd. and approve adding Minor Collector (MN-2-80) connecting Kermier Rd. and Warren Ranch Rd/Mallard Crossing Dr.

Motion: **Smith** Second: **Alleman** Vote: **Unanimous** Recusing: **Heisch**

Speaker: Daniel Valdez – supportive.

C. Miller-Wilson Road & Unnamed Collector – LJA Engineering

Presenter: Lauren Grove, City of Houston Planning and Development Department.

Staff recommendation: Deny realigning Miller Wilson Road (T-4-100) and deny adding unnamed Minor Collector (MN-2-60).

Commission action: Denied realigning Miller Wilson Road (T-4-100) and denied adding unnamed Minor Collector (MN-2-60).

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

Speaker: Luis Alvarez's comments were read by staff.

D. Mound Road – LJA Engineering

Presenter: Lauren Grove, City of Houston Planning and Development Department.

Staff recommendation: Approve realigning Mound Road (T-4-100) between Katy Hockley Road and Warren Ranch Road.

Commission action: Approved realigning Mound Road (T-4-100) between Katy Hockley Road and Warren Ranch Road.

Motion: **Jones** Second: **Porras-Pirtle** Vote: **Carried** Abstaining: **Clark**
Speaker: Matt Stoops – supportive.

E. Russell Drive – LJA Engineering

Presenter: Peter Eccles, City of Houston Planning and Development Department.

Staff recommendation: Defer the consideration to allow for notification of property owners adjacent to staff recommended alternative.

Commission action: Deferred the consideration to allow for notification of property owners adjacent to staff recommended alternative.

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

F. Street A (Pecan Estates) – LJA Engineering

Presenter: Peter Eccles, City of Houston Planning and Development Department.

Staff recommendation: Defer the consideration to allow for notification of property owners adjacent to staff recommended alternative.

Commission action: Deferred the consideration to allow for notification of property owners adjacent to staff recommended alternative.

Motion: **Clark** Second: **Nelson** Vote: **Unanimous** Abstaining: **None**

G. South Wayside – Knudson LP

Presenter: Melissa Beeler, City of Houston Planning and Development Department.

At 3:45 p.m. a Motion was made Garza and seconded by Sigler to take a 5–minute recess due to technical difficulties regarding the phone line to the meeting. Motion carried unanimously.

The Chair reconvened the meeting at 3:51 p.m. with a roll call to verify a quorum present with the following Commissioners audible and in attendance: Stein, Garza, Abraham, Alleman, Baldwin, Clark, Heisch, Jones, Mares, Robins, Nelson, Porras-Pirtle, Rosenberg, Sigler, Tahir, Victor, Smith, Cain and Wallace Brown.

Chair verified that the following Commissioners were not audible or in attendance at this time: Bryant Rodriguez and Dalton.

Staff recommendation: Deny the deletion of South Wayside Drive alignment (T-4-100) from Airport Blvd. to Orem Drive.

Commission action: Deferred the amendment for the deletion of South Wayside Drive alignment (T-4-100) from Airport Blvd. to Orem Drive.

Motion: **Clark** Second: **Sigler** Vote: **Carried** Abstaining: **Garza** Recusing: **Heisch**
Speakers: Ian Hlavacek, Houston Public Works Department; Patti Joiner, applicant – supportive.

H. Valley Ranch Bend Drive – META Planning + Design

Presenter: Melissa Beeler, City of Houston Planning and Development Department.

Staff recommendation: Approve the modified staff recommendation to reclassify Valley Ranch Bend Drive from a MJ-4-60 to MJ-2-60 and approve realigning a portion of Valley Ranch Bend Drive to terminate at Grand Parkway instead of Hwy 59.

Commission action: Approved the modified staff recommendation to reclassify Valley Ranch Bend Drive from a MJ-4-60 to MJ-2-60 and approve realigning a portion of Valley Ranch Bend Drive to terminate at Grand Parkway instead of Hwy 59.

Motion: **Sigler** Second: **Cain** Vote: **Unanimous** Recusing: **Heisch and Robins**

Speaker: Jennifer Curtis, applicant – supportive.

III. MAJOR THOROUGHFARE AMENDMENT REQUESTS – Public Sector

I. City of Houston Planning and Development Department

I-1. Southeast Houston Mobility Plan

Presenter: Melissa Beeler, City of Houston Planning and Development Department.

Staff recommendation: Approve all amendments for I-1, per staff report.

Commission action: Approved all amendments for I-1, per staff report.

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

I-2. Downtown/Midtown Streets

Presenter: Peter Eccles, City of Houston Planning and Development Department.

Staff recommendation: Approve all amendments for I-2, per the staff report.

Commission action: Approved all amendments for I-2, per the staff report.

Motion: **Baldwin** Second: **Clark** Vote: **Unanimous** Recusing: **Robins**

IV. NEXT STEPS

Sharon Moses-Burnside, City of Houston Planning and Development Department stated they would return before the Commission with the deferred items. Once the remaining items are voted on, they will recommend the Commission to approve the changes to the MTFP and forward them to City Council for approval.

V. PUBLIC COMMENT NONE

VI. ADJOURNMENT

There being no further business brought before the Commission, Chair Martha L. Stein adjourned the meeting at 4:52 p.m.

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

Martha L. Stein, Chair

Margaret Wallace Brown, Secretary

Minutes of the Houston Planning Commission

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

July 23, 2020

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

Call to Order

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

Martha L. Stein, Chair

M. Sonny Garza, Vice Chair

David Abraham

Arrived at 2:55 p.m. during items A & B

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

Left at 5:02 p.m. after item 111

Ian Rosenberg

Megan R. Sigler

Zafar Tahir

Meera D. Victor

Scott Cain for

Left at 5:07 p.m. after item 113

Commissioner James Noack

Maggie Dalton for

Left at 4:14 p.m. after item 97

The Honorable KP George

Loyd Smith

Absent

The Honorable Lina Hidalgo

EXOFFICIO MEMBERS

Carol A. Lewis

Carol Haddock

Yuhayna H. Mahmud

Executive Secretary

Margaret Wallace Brown, Director, Planning and Development

CHAIR'S REPORT

NONE

DIRECTOR'S REPORT

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

APPROVAL OF THE JULY 9, 2020 PLANNING COMMISSION MEETING MINUTES

Commission action: Approved the July 9, 2020 Planning Commission meeting minutes.

Motion: **Clark**

Second: **Nelson**

Vote: **Unanimous**

Abstaining: **None**

I. PRESENTATION AND CONSIDERATION OF THE JULY 2020 SEMI-ANNUAL WATER/WASTEWATER IMPACT FEE REPORT

Presentation given by Deidre VanLangen, Houston Public Works.

Commission action: Considered the July 2020 Semi-Annual Water/Wastewater Impact Fee Report and forwarded it to City Council.

Motion: **Nelson**

Second: **Tahir**

Vote: **Unanimous**

Abstaining: **None**

II. PRESENTATION AND CONSIDERATION OF THE JULY 2020 DRAINAGE IMPACT FEE REPORT

Presentation given by Deidre VanLangen, Houston Public Works.

Commission action: Considered the July 2020 Drainage Impact Fee Report and forwarded it to City Council.

Motion: **Nelson**

Second: **Baldwin**

Vote: **Unanimous**

Abstaining: **None**

III. PLATTING ACTIVITY (Consent and Replat items A and B, 1 – 86)

Staff recommendation for item **61** was changed from Defer to Approve.

Items removed for separate consideration: **16, 17, 22, 25, 43 and 50.**

Staff recommendation: Approve staff's recommendations for item(s) 1 - 78 subject to the CPC 101 form conditions.

Commission action: Approved staff's recommendations for item(s) 1 - 78 subject to the CPC 101 form conditions.

Motion: **Baldwin**

Second: **Mares**

Vote: **Unanimous**

Abstaining: **None**

Staff recommendation: Approve staff's recommendation for items **16, 17, 22, 25, 43 and 50**, subject to the CPC 101 form conditions.

Commission action: Approved staff's recommendations for **16, 17, 22, 25, 43 and 50**, subject to the CPC 101 form conditions.

Motion: **Clark**

Second: **Abraham**

Vote: **Unanimous**

Recusing: **Alleman, Dalton, and Heisch**

C PUBLIC HEARINGS

87 Agua Estates Commercial

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: **Garza**

Second: **Baldwin**

Vote: **Unanimous**

Abstaining: **None**

Speaker: Elizabeth Carrera, applicant – supportive; Patsy Taylor – position not stated; Council Member Castex-Tatum.

88 Atwood villas partial replat no 2

C3N

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: **Sigler**

Second: **Jones**

Vote: **Unanimous**

Abstaining: **None**

89 Augusta Addition 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: **Porras-Pirtle** Second: **Alleman** Vote: **Unanimous** Abstaining: **None**

90 Bayou Oaks partial replat no 1 C3N Approve
Staff recommendation: Approve the plat subject to the CPC 101 form conditions.
Commission action: Approved the plat subject to the CPC 101 form conditions.
Motion: **Baldwin** Second: **Jones** Vote: **Unanimous** Abstaining: **None**

91 Blossom Hotel and Suites replat no 2 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.
Motion: **Garza** Second: **Nelson** Vote: **Unanimous** Abstaining: **None**

92 Blue Bonnet Estates partial replat no 3 C3N Withdrawn

93 Braeburn Terrace Sec 1 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: **Garza** Second: **Clark** Vote: **Carried** Opposing: **Abraham and Mares**
Speakers: Janice Walden, Candice Ayala and Doug Phillips – position not stated. Ngan Nyuyen with Council Member Kamin's office.

94 Briargate Sec 10 partial replat no 1 C3N Defer
Staff recommendation: Defer the application for two weeks per Council Member Kamin's request.
Commission action: Deferred the application for two weeks per Council Member Kamin's request.
Motion: **Baldwin** Second: **Jones** Vote: **Unanimous** Abstaining: **None**
Speakers: Council Member Castex-Tatum; Joyce Allen – position not stated.

95 Hardy Terrace 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: **Jones** Vote: **Unanimous** Abstaining: **None**
Speakers: Robin Paoli – opposed; Martin Warer – no position stated. Ms. Martinez's comments were read by staff.

96 Hyde Park partial replat no 9 C3N Defer
Staff recommendation: Defer the application for two weeks per Council Member Kamin's request.
Commission action: Deferred the application for two weeks per Council Member Kamin's request.
Motion: **Nelson** Second: **Bryant** Vote: **Unanimous** Abstaining: **None**
Speakers: Bartt Thompson, Barry Baumgarten, Tom Whitworth, Mrs. Whitworth and Michael McCann – opposed.

97 Hyde Park partial replat no 10 C3N Defer
Staff recommendation: Defer the application for two weeks per Council Member Kamin's and Alcorn's request.
Commission action: Deferred the application for two weeks per Council Member Kamin's and Alcorn's request.
Motion: **Bryant** Second: **Alleman** Vote: **Unanimous** Abstaining: **None**
Speakers: Dave Strickland and Michael McCann – opposed; Bartt Thompson, Barry Baumgarten, Tom Whitworth, Mrs. Whitworth – position not stated.

98 Melbourne Place Sec 1 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: **Bryant** Vote: **Unanimous** Abstaining: **None**

99 Melbourne Place Sec 1 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: **Clark** Second: **Alleman** Vote: **Unanimous** Abstaining: **None**

100 Saxxon Park C3N Disapprove
Staff recommendation: Disapprove the plat.
Commission action: Disapproved the plat.
Motion: **Garza** Second: **Alleman** Vote: **Unanimous** Abstaining: **None**
Speaker: Dori Boone – supportive.

101 Stogner partial replat no 2 C3N Defer
Staff recommendation: Defer the application for two weeks per Chapter 42 planning standards.
Commission action: Deferred the application for two weeks per Chapter 42 planning standards.
Motion: **Baldwin** Second: **Rodriguez** Vote: **Unanimous** Abstaining: **None**

102 Washington Terrace partial replat no 5 C3N Withdrawn

103 West Bend Sec 1 partial replat no 1 C3N Approve
Staff recommendation: Approve the plat subject to the CPC 101 form conditions.
Commission action: Approved the plat subject to the CPC 101 form conditions.
Motion: **Garza** Second: **Bryant** Vote: **Unanimous** Abstaining: **None**
Speakers: Zeta Robertson – position not stated.

At 4:35 p.m. Commissioner Porras-Pirtle stepped away from the meeting.

104 Westfield Sec 4 partial replat no 1 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.
Motion: **Jones** Second: **Alleman** Vote: **Unanimous** Abstaining: **None**
Speaker: Ms. West – opposed; Nick Nicoletti – position not stated.

At 4:45 p.m. Commissioner Porras-Pirtle returned.

105 Whitney Place West partial replat no 1 C3N Withdrawn

**106 Willowcreek Ranch Sec 9
partial replat no 1**

C3N

Withdrawn

D VARIANCES

Item 107 and 108 were taken together at this time.

107 Bellfort Farms GP

GP

Approve

108 Bellfort Farms Sec 1

C3P

Approve

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

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

Motion: **Bryant**

Second: **Garza**

Vote: **Unanimous**

Abstaining: **None**

109 Development at Telge South

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: **Garza**

Second: **Alleman**

Vote: **Unanimous**

Abstaining: **None**

At 4:54 p.m. Commissioner Tahir stepped away from the meeting.

110 GBP Business Park

C2

Approve

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

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

Motion: **Garza**

Second: **Rodriguez**

Vote: **Unanimous**

Abstaining: **None**

**111 Harris County MUD 165 Wastewater
Treatment Plant no 2**

C2

Approve

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

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

Motion: **Clark**

Second: **Alleman**

Vote: **Unanimous**

Abstaining: **None**

At 5:02 p.m. Commissioner Tahir returned.

112 Independence Heights partial replat no 1

C2R

Defer

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

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

Motion: **Baldwin**

Second: **Garza**

Vote: **Unanimous**

Abstaining: **None**

113 Navigation Mill C2R Defer
Staff recommendation: Defer the application for two weeks for further study and review.
Commission action: Deferred the application for two weeks for further study and review.
Motion: **Baldwin** Second: **Jones** Vote: **Unanimous** Abstaining: **None**

**E SPECIAL EXCEPTIONS
NONE**

At 5:07 p.m. Commissioner Sigler stepped away from the meeting.

F RECONSIDERATION OF REQUIREMENTS

114 Emerald Meadows GP GP 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: **Clark** Second: **Nelson** Vote: **Unanimous** Abstaining: **None**
Speakers: James Lawrence – position not stated; Katy Harris, applicant – supportive.

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

G EXTENSIONS OF APPROVAL

115 Century Court	EOA	Approve
116 Cypress Station Townhomes	EOA	Approve
117 Northcrest Industrial	EOA	Approve
118 South Heights Reserve at White Oak	EOA	Approve
119 Tavola Sec 23	EOA	Approve
120 Tavola Sec 27	EOA	Approve
121 Wayside Village Detention Reserve	EOA	Approve
122 Yalamanchili Complex	EOA	Approve

H NAME CHANGES

123 Elyson Boulevard Street Dedication Sec 2 NC	Approve
(prev. Elyson Boulevard Street Dedication Sec 2)	

**I CERTIFICATES OF COMPLIANCE
NONE**

Staff recommendation: Approve staff's recommendation for items 115-123.

Commission action: Approved staff's recommendation for items 115-123.

Motion: **Garza** Second: **Alleman** Vote: **Carried** Abstaining: **Heisch 119, 120 and 123**

**J ADMINISTRATIVE
NONE**

K DEVELOPMENT PLATS WITH VARIANCE REQUESTS

124 5119 Airport Boulevard**DPV****Approve**

Staff recommendation: Grant the variance(s) and approve the development plat to allow a 13.5' building line along Airport Boulevard, a major thoroughfare in lieu of the required 25' building line, for a new single-family residence.

Commission action: Granted the variance(s) and approved the development plat to allow a 13.5' building line along Airport Boulevard, a major thoroughfare in lieu of the required 25' building line, for a new single-family residence.

Motion: **Clark**Second: **Jones**Vote: **Unanimous**Abstaining: **None****125 4501 Garrow Street****DPV****Approve**

Staff recommendation: Grant the variance(s) and approve the development plat (1) to allow a 2.6' building line along Garrow Street, in lieu of the ordinance required 10' building line. (2) to allow a 1.1' building line along Super Street, in lieu of the ordinance required 10' building line and (3) to encroach into the visibility triangle with a new single-family residence.

Commission action: Granted the variance(s) and approved the development plat (1) to allow a 2.6' building line along Garrow Street, in lieu of the ordinance required 10' building line. (2) to allow a 1.1' building line along Super Street, in lieu of the ordinance required 10' building line and (3) to encroach into the visibility triangle with a new single-family residence and with the additional conditions: to remove the fence along the public right of ways, to provide skirting for the crawl space of the residence and to move the existing front stairs if possible, at the discretion of planning department's staff.

Motion: **Rosenberg** Second: **Garza** Vote: **Carries** Opposed: **Jones and Porras-Pirtle**

Speakers: Victor Sanchez, Jeff Boutte, applicant, and Edwin Moturi – supportive.

IV. ESTABLISH A PUBLIC HEARING DATE OF AUGUST 20, 2020 FOR:

- a. Alpha Team Manor replat no 1
- b. Brookhaven Addition replat no 1 partial replat no 1
- c. Dian Street Villas
- d. Fondren Southwest Northfield Sec 7 and 8 partial replat no 2
- e. Home Owned Estates Sec 5 partial replat no 1
- f. Honeycomb Ridge replat no 2
- g. Houstons Skyscraper Shadows Sec 2 partial replat no 5
- h. Long Point Acres partial replat no 7
- i. Martinez Gardens replat no 1
- j. Peek Entrepreneurs replat no 1
- k. Pinemont Villas partial replat no 1
- l. Spring Oaks replat no 1 partial replat no 4
- m. Wrenwood partial replat no 1

Staff recommendation: Establish a public hearing date of August 20, 2020 for item IV a-m.

Commission action: Established a public hearing date of August 20, 2020 for item IV a-m.

Motion: **Abraham**Second: **Bryant**Vote: **Unanimous**Abstaining: **None****V. CONSIDERATION OF AN OFF-STREET PARKING VARIANCE LOCATED AT 620 W. 27TH STREET****Withdrawn****VI. CONSIDERATION OF AN OFF-STREET PARKING VARIANCE LOCATED AT 3820 WILCREST DRIVE**

Staff recommendation: Grant the off-street parking variance(s) to allow 45 off-street vehicle parking spaces, and 21 bicycle spaces in lieu of the ordinance-required 48 vehicle parking spaces for the proposed A-3 (gym) building.

Commission action: Granted the off-street parking variance to allow 45 off-street vehicle parking spaces, and 21 bicycle spaces in lieu of the ordinance-required 48 vehicle parking spaces for the proposed A-3 (gym) building.

Motion: **Garza** Second: **Jones** Vote: **Carried** Opposing: **Porras-Pirtle, Robins and Rosenberg**

Speakers: Martyn Hill and Nancy Mai – opposed; Jackie Rye, applicant – supportive.

VII. CONSIDERATION OF A LANDSCAPE VARIANCE FOR PROPERTY LOCATED AT 600 LOUISIANA STREET

Staff recommendation: Grant the Landscape Plan variance(s).

Commission action: Granted the Landscape Plan variance(s).

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

Speaker: Christie Gollwitzer, applicant – supportive.

VIII. EXCUSE THE ABSENCE OF COMMISSIONER ILEANA RODRIGUEZ

Commissioner Rodriguez was present; therefore, no action was necessary.

IX. PUBLIC COMMENT NONE

X. ADJOURNMENT

There being no further business brought before the Commission, Chair Martha L. Stein adjourned the meeting at 5:56 p.m.

Motion: **Abraham** Second: **Tahir** Vote: **Unanimous** Abstaining: **None**

Martha L. Stein, Chair

Margaret Wallace Brown, Secretary

Item No.	Subdivision Plat Name	App	
		Type	Deferral

A-Consent

1	Augusta Addition partial replat no 3	C3F	
2	Balmoral Park Lakes East Water Well	C2	
3	Bayou Oaks partial replat no 1	C3F	
4	Bradbury Forest Sec 9	C3F	
5	Braeburn Terrace partial replat no 3	C3F	
6	Breckenridge Park West Sec 1	C3F	
7	Bridge Creek Sec 2	C3P	
8	Bridgeland Parkland Village Reserve Sec 4	C2	
9	Bridgeland Prairieland Village Sec 9	C3P	
10	Bridgeland Westgreen Boulevard Street Dedication Sec 5	SP	DEF1
11	Cavalcade Center	C2	
12	Clay Shopping Center	C2	
13	Crossing at the Commons of Lake Houston Sec 1 Vacating Plat	VP	
14	Cypress Creek Landing Sec 5	C3P	
15	Cypress Green Sec 3	C3P	DEF1
16	Cypress Green Sec 4	C3P	
17	Cypress Oaks North Sec 3	C3P	
18	Dreyfus Estates	C2	DEF1
19	Dunham Pointe Model Court Sec 1	C3P	DEF1
20	Elysium at Paul Quinn	C3P	
21	Feldman Court partial replat no 1	C3F	
22	Grant Road Commercial	C2	DEF1
23	Hardy Terrace	C3F	
24	Hockleywood Business Park	C3F	
25	Homestead Industrial Park GP	GP	DEF2
26	Houston Cao Dai Temple At Milroy	C3F	
27	Humble ISD North Agricultural Barn	C2	DEF1
28	Jack Road and Mound Road Street Dedication	SP	
29	Katy Crossing Sec 8	C3F	DEF1
30	Katy Legacy GP	GP	
31	Lakeview Retreat Sec 9	C3F	
32	Lantana Sec 7	C3F	DEF2
33	Larkspur Crossing	C3F	DEF1
34	Marisol Sec 3	C3P	
35	Pech Landing	C3F	
36	Riverside Terrace Sec 6 partial replat no 2	C3F	
37	Royal Brook at Kingwood Sec 15	C3P	
38	Royal Brook at Kingwood Sec 17	C3F	
39	Somerset Green Sec 8	C3F	
40	Three Stars Galaxy Enterprises	C2	
41	Trison at Beltway 8	C2	
42	Tuscan Terrace Drive and Holderreith Road Street Dedication	C3P	DEF1

Platting Summary**Houston Planning Commission****PC Date: August 06, 2020**

Item No.	Subdivision Plat Name	App	
		Type	Deferral
43	Villages of Pine Ridge GP	GP	
44	Walter Crossing Street	C3P	
45	Westfield Sec 4 partial replat no 1	C3F	
46	Westside Parkway Sec 2	C2	
47	Windrow Recreation Center	C3P	

B-Replats

48	Allegheny Place	C2R	
49	Becker Trace GP	GP	DEF1
50	Becker Trace Sec 1	C3R	DEF1
51	Bennington Hills	C2R	
52	Brandon Gold	C2R	
53	Bridgeland Irrigation Pump Station no 7	C2R	
54	Briley Terrace	C2R	
55	Cadillac Street Development	C2R	DEF1
56	Canal Street Apartments	C2R	
57	Drew Plaza	C2R	
58	East End Village	C2R	
59	Eastwood Addition partial replat no 2	C2R	DEF1
60	Echostate Hwy 6	C3R	
61	Enclave on Calhoun	C2R	DEF2
62	Faircourt Vista	C2R	
63	Heights Redevelopment	C2R	
64	Hilton Heights	C2R	
65	Hockley Town Center	C2R	
66	Hope Clinic	C2R	
67	Legacy Acres Park	C2R	DEF1
68	Legacy Acres Parrot	C2R	DEF1
69	Logan Lynn Park	C2R	
70	Mansen Estates	C2R	
71	Nichols Corner	C2R	
72	Philip Estates	C2R	
73	Rachel Heights	C2R	
74	Reinerman Station	C2R	DEF1
75	Relux Senior Living	C2R	
76	Reserve at Gulfpoint partial replat no 2	C2R	
77	Reyes Square	C2R	
78	Rodriguez Estates	C2R	
79	Serenity Grove at Beall	C2R	DEF1
80	Shady Acres Second Section partial replat no 5	C2R	
81	Sheldon Woods Sec 1 partial replat no 1	C2R	
82	Slate Heights	C2R	
83	Southern Village Sec 1 partial replat 1	C2R	DEF1
84	Vera Place	C2R	DEF2

Item No.	Subdivision Plat Name	App	
		Type	Deferral
85	Wavell Square	C2R	
86	White Oak Balconies	C3R	DEF1
87	Womack Landing	C2R	

C-Public Hearings Requiring Notification

88	Agua Estates Commercial	C3N	DEF1
89	Alameda Genoa Place partial replat no 2	C3N	
90	Atwood Villas partial replat no 2	C3N	DEF1
91	Briargate Sec 10 partial replat no 1	C3N	DEF1
92	Foster Place partial replat no 5	C3N	
93	Hyde Park partial replat no 9	C3N	DEF2
94	Hyde Park partial replat no 10	C3N	DEF2
95	Lakes at Cypress Hill partial replat no 1	C3N	
96	Northgrove Sec 5 partial replat no 2	C3N	
97	Nueces Park Place Sec 1 replat no 1	C3N	
98	Stogner partial replat no 2	C3N	DEF1

D-Variances

99	American Tower Victor	C2	
100	Independence Heights partial replat no 1	C2R	DEF1
101	Magnolia Park Sec 2 partial replat no 5	C2R	
102	Navigation Mill	C2R	DEF2
103	Wholesale Electric Warehouse replat no 1	C2R	

E-Special Exceptions

None

F-Reconsideration of Requirements

None

G-Extensions of Approval

104	Becker Meadows Wastewater Treatment Plant	EOA	
105	Birnam Wood Sec 5 partial replat no 1 and extension	EOA	
106	Bissonnet Trade Center	EOA	
107	Cherry Industrial Center	EOA	
108	Copper Ridge at Indian Trails Sec 2	EOA	
109	Copper Ridge at Indian Trails Sec 3	EOA	
110	Cypresswood Landing Sec 1	EOA	
111	Faith Tabernacle	EOA	
112	Huffman Place	EOA	

Platting Summary**Houston Planning Commission****PC Date: August 06, 2020**

Item No.	Subdivision Plat Name	App	
		Type	Deferral
113	Lakewood Pines Sec 11	EOA	
114	Seamist Sec 2	EOA	
115	Vibhava Village	EOA	
116	Woodland Lakes Sec 3	EOA	
117	Woodland Lakes Sec 4	EOA	

H-Name Changes

None

I-Certification of Compliance

118	27811 N Ossineke Drive	COC
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J-Administrative

None

K-Development Plats with Variance Requests

119	3116 Columbia	DPV
120	3854 Durness Way	DPV

Off-Street Parking Variance Requests

III	1914 Summer Street	PV
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Platting Summary**Houston Planning Commission****PC Date: August 06, 2020**

				Location			Plat Data			Customer	
Item		App	App		City/	Key		Rsv			Applicant's
No.	Subdivision Plat Name	No.	Type	Co	ETJ	Map	Plat Ac	Ac	Lots	Developer	Company
A-Consent											
1	Augusta Addition partial replat no 3	2020-1263	C3F	Harris	City	494G	0.23	0.00	4	South by Northwest, LP	Karen Rose Engineering and Surveying
2	Balmoral Park Lakes East Water Well	2020-1289	C2	Harris	ETJ	376U	0.51	0.51	0	Land Tejas Park Lakes 1023, LP	Jones Carter
3	Bayou Oaks partial replat no 1	2020-1298	C3F	Harris	City	534Z	0.67	0.67	0	Universal Church of God In Christ	Owens Management Systems, LLC
4	Bradbury Forest Sec 9	2020-1245	C3F	Harris	ETJ	293P	12.45	0.28	49	Woodmere Development Company	Van De Wiele & Vogler, Inc.
5	Braeburn Terrace partial replat no 3	2020-1270	C3F	Harris	City	530R	0.47	0.01	12	Legion Builders, LLC	Total Surveyors, Inc.
6	Breckenridge Park West Sec 1	2020-1238	C3F	Harris	ETJ	293Y	17.02	6.18	44	Woodmere Development Co., LTD	Van De Wiele & Vogler, Inc.
7	Bridge Creek Sec 2	2020-1278	C3P	Harris	ETJ	366W	12.93	0.12	51	WLH Communities-Texas LLC	Jones Carter - Woodlands Office
8	Bridgeland Parkland Village Reserve Sec 4	2020-1306	C2	Harris	ETJ	366W	16.17	16.17	0	Bridgeland Development, LP	BGE, Inc.
9	Bridgeland Prairieland Village Sec 9	2020-1276	C3P	Harris	ETJ	365P	7.76	0.22	24	Bridgeland Development L.P.	LJA Engineering, Inc - (Woodlands Office)
10	Bridgeland Westgreen Boulevard Street Dedication Sec 5 (DEF1)	2020-1157	SP	Harris	ETJ	366X	5.82	0.00	0	Bridgeland Development LP	Costello, Inc.
11	Cavalcade Center	2020-1260	C2	Harris	City	453U	0.91	0.91	0	Panjwani Properties, LTD.	Century Engineering, Inc
12	Clay Shopping Center	2020-1269	C2	Harris	ETJ	447E	0.83	0.83	0	Sukvinder	Texas Field Services
13	Crossing at the Commons of Lake Houston Sec 1 Vacating Plat	2020-1288	VP	Harris	City	298S	11.74	0.00	0	Signorelli Company	META Planning + Design, LLC
14	Cypress Creek Landing Sec 5	2020-1274	C3P	Harris	ETJ	331S	10.44	0.85	53	KB Home Lone Stare Inc	IDS Engineering Group
15	Cypress Green Sec 3 (DEF1)	2020-1207	C3P	Harris	ETJ	285U	27.93	3.35	128	LT Cypress Green 634, LLC	Jones Carter - Woodlands Office
16	Cypress Green Sec 4	2020-1279	C3P	Harris	ETJ	285U	14.53	1.13	58	MCALISTER INVESTMENT REAL ESTATE	Jones Carter - Woodlands Office
17	Cypress Oaks North Sec 3	2020-1304	C3P	Harris	ETJ	406J	36.29	11.80	147	JNC Development, Inc.	Van De Wiele & Vogler, Inc.
18	Dreyfus Estates (DEF1)	2020-1173	C2	Harris	City	533Q	0.11	0.00	2	Tusk Home Builders LLC	RP & Associates
19	Dunham Pointe Model Court Sec 1 (DEF1)	2020-1149	C3P	Harris	ETJ	366A	2.95	0.00	6	Mason Westgreen LP, a Texas limited partnership	BGE, Inc. - Land Planning
20	Elysium at Paul Quinn	2020-1129	C3P	Harris	City	451D	1.00	0.01	14	Sam Houston Homes, LLC	ICMC GROUP INC
21	Feldman Court partial replat no 1	2020-1228	C3F	Harris	City	533C	0.12	0.00	2	Andicon Holdings, LLC.	ICMC GROUP INC
22	Grant Road Commercial (DEF1)	2020-1224	C2	Harris	ETJ	369E	1.00	1.00	0	SITE PREP	Tetra Surveys
23	Hardy Terrace	2020-1311	C3F	Harris	City	453V	0.23	0.00	4	AHB Development LLC	CE Engineers & Development Consultants, INC
24	Hockleywood Business Park	2020-1299	C3F	Harris	ETJ	285Q	25.95	25.95	0	Hockley Business Park, LLC	GBI Partners, LP
25	Homestead Industrial Park GP (DEF2)	2020-0977	GP	Harris	City/ETJ	414H	151.89	0.00	0	Skymark Development Company, Inc.	Skymark Development Co., Inc.

Platting Summary**Houston Planning Commission****PC Date: August 06, 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
26	Houston Cao Dai Temple At Milroy	2020-1262	C3F	Harris	ETJ	371K	5.30	5.30	0	Advance Surveying	Advance Surveying, Inc.
27	Humble ISD North Agricultural Barn (DEF1)	2020-0960	C2	MULTI PLE	City/ ETJ	297J	6.91	6.91	0	Humble ISD	Goodwin-Lasiter-Strong
28	Jack Road and Mound Road Street Dedication	2020-1247	SP	Harris	ETJ	366C	7.26	0.00	0	Mason Westgreen, LP.	BGE, Inc.
29	Katy Crossing Sec 8 (DEF1)	2020-1151	C3F	Harris	ETJ	404Y	35.00	11.95	122	Pulte Homes of Texas, L.P.	LJA Engineering, Inc.- (Houston Office)
30	Katy Legacy GP	2020-1290	GP	Harris	ETJ	445B	160.00	0.00	0	Rooted Development	7gen Planning
31	Lakeview Retreat Sec 9	2020-1287	C3F	Fort Bend	ETJ	526M	1.75	0.31	7	D. R. Horton	Jones Carter
32	Lantana Sec 7 (DEF2)	2020-1066	C3F	Harris	ETJ	406S	8.25	0.11	53	Beazer Homes Texas, LP	LJA Engineering, Inc.- (Houston Office)
33	Larkspur Crossing (DEF1)	2020-1156	C3F	Harris	City	533Y	0.23	0.00	4	CAS Consultants, LLC	CAS Consultants, LLC
34	Marisol Sec 3	2020-1264	C3P	Harris	ETJ	404Y	12.58	0.41	75	DRP TX 1, LLC	LJA Engineering, Inc.- (Houston Office)
35	Pech Landing	2020-1252	C3F	Harris	City	451N	2.00	0.23	31	2217 Pech Development, LLC	Pioneer Engineering, LLC
36	Riverside Terrace Sec 6 partial replat no 2	2020-1255	C3F	Harris	City	533B	1.20	1.20	0	NA	South Texas Surveying Associates, Inc.
37	Royal Brook at Kingwood Sec 15	2020-1296	C3P	Montgomery	ETJ	297F	16.56	0.51	80	Friendswood Development Company	Jones Carter - Woodlands Office
38	Royal Brook at Kingwood Sec 17	2020-1281	C3F	Harris	City	297P	15.21	0.41	62	Friendswood Development Company	Jones Carter
39	Somerset Green Sec 8	2020-1277	C3F	Harris	City	492A	5.17	0.11	62	Development Houston In Town LP	BGE, Inc.
40	Three Stars Galaxy Enterprises	2020-1282	C2	Harris	ETJ	286K	2.00	1.80	0	Advance Surveying	Advance Surveying, Inc.
41	Trison at Beltway 8	2020-1244	C2	Harris	ETJ	417T	5.42	5.42	0	Trison International Inc.	E.I.C. Surveying Company
42	Tuscan Terrace Drive and Holderreith Road Street Dedication (DEF1)	2020-1202	C3P	Harris	ETJ	285U	8.51	0.00	0	LT Cypress Green 634, LLC	Jones Carter - Woodlands Office
43	Villages of Pine Ridge GP	2020-1239	GP	Harris	ETJ	298V	73.27	0.00	0	Pine Ridge Interests, LP	Miller Survey Group
44	Walter Crossing Street	2020-1090	C3P	Harris	ETJ	371G	3.73	0.65	22	HEAR DESIGN	hear design
45	Westfield Sec 4 partial replat no 1	2020-1297	C3F	Harris	ETJ	446L	3.24	3.24	0	CE Engineers & Development Consultants, Inc.	CE Engineers & Development Consultants, INC
46	Westside Parkway Sec 2	2020-1250	C2	Harris	ETJ	445Y	3.15	3.15	0	Kuo & Associates, Inc	Kuo & Associates, Inc
47	Windrow Recreation Center	2020-1219	C3P	Harris	ETJ	325E	8.23	5.80	0	Pulte Group	7gen Planning

B-Replats

48	Allegheny Place	2020-1267	C2R	Harris	City	533K	0.23	0.00	5	MTY Builders, Inc.	Total Surveyors, Inc.
49	Becker Trace GP (DEF1)	2020-1135	GP	Harris	ETJ	325A	33.47	0.00	0	Friendswood Development Company	Jones Carter - Woodlands Office
50	Becker Trace Sec 1 (DEF1)	2020-1136	C3R	Harris	ETJ	325A	17.21	4.19	68	Friendswood Development Company	Jones Carter - Woodlands Office

Platting Summary**Houston Planning Commission****PC Date: August 06, 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
51	Bennington Hills	2020-1271	C2R	Harris	City	454Q	0.18	0.00	3	Aly Construction LLC	Texas Legal Media
52	Brandon Gold	2020-1223	C2R	Harris	City	533U	0.23	0.00	4	Flax Gold Horizons, LLC	Flax Gold Horizons, LLC
53	Bridgeland Irrigation Pump Station no 7	2020-1254	C2R	Harris	ETJ	365P	0.51	0.51	0	Bridgeland Development, LP	BGE, Inc.
54	Briley Terrace	2020-1300	C2R	Harris	City	493Z	0.11	0.00	2	BEGIN A NEW HOME	Survey Solutions of Texas
55	Cadillac Street Development (DEF1)	2020-0956	C2R	Harris	City	533L	0.24	0.24	6	STEVE DEEB	Hussam Ghuneim
56	Canal Street Apartments	2020-1303	C2R	Harris	City	494U	2.84	2.84	0	Blazer Building Texas, LLC	The Interfield Group
57	Drew Plaza	2020-1283	C2R	Harris	City	493Z	0.34	0.34	0	BAYOU CITY INVESTMENT GROUP LP	SEM SERVICES
58	East End Village	2020-1268	C2R	Harris	City	494S	0.15	0.00	4	Digs Homes, LLC	Total Surveyors, Inc.
59	Eastwood Addition partial replat no 2 (DEF1)	2020-1218	C2R	Harris	City	494T	0.25	0.00	1	ACI Construction	Tetra Surveys
60	Echostate Hwy 6	2020-1272	C3R	Fort Bend	ETJ	528S	2.81	0.40	20	Echostate Solution, Inc.	Miller & Associates
61	Enclave on Calhoun (DEF2)	2020-1101	C2R	Harris	City	533R	0.34	0.00	6	Oceanfront Realty, LLC	Owens Management Systems, LLC
62	Faircourt Vista	2020-1246	C2R	Harris	City	450C	0.44	0.00	2	CREATECHSOLUTIONS	replats.com
63	Heights Redevelopment	2020-1249	C2R	Harris	City	453W	0.57	0.57	0	Stude's Revival Center, Inc.	Vernon G. Henry & Associates, Inc.
64	Hilton Heights	2020-1225	C2R	Harris	City	453P	0.17	0.00	4	1215 E 33rd Street Project	Chesterfield Development Services
65	Hockley Town Center	2020-1242	C2R	Harris	City/ ETJ	324E	1.72	1.72	0	Cisneros Design Studio	K. Chen Engineering
66	Hope Clinic	2020-1261	C2R	Harris	ETJ	528F	10.54	10.54	0	Hope Clinic	Windrose
67	Legacy Acres Park (DEF1)	2020-1206	C2R	Harris	City	412P	0.52	0.22	6	Core Design Impact	Tetra Surveys
68	Legacy Acres Parrot (DEF1)	2020-1213	C2R	Harris	City	412N	1.00	0.05	16	Core Design Impact	Tetra Surveys
69	Logan Lynn Park	2020-1163	C2R	Harris	City	570M	3.49	3.49	0	Nova Development	South Texas Surveying Associates, Inc.
70	Mansen Estates	2020-1305	C2R	Harris	City	533R	0.23	0.00	4	TREVINO ENGINEERING	Survey Solutions of Texas
71	Nichols Corner	2020-1259	C2R	Harris	City	494C	0.11	0.00	2	Urban Lux, LLC	Pioneer Engineering, LLC
72	Philip Estates	2020-1307	C2R	Harris	City	453J	0.11	0.00	2	Philip Gentile	Century Engineering, Inc
73	Rachel Heights	2020-1243	C2R	Harris	City	452C	0.70	0.01	14	CAS Consultants, LLC	CAS Consultants, LLC
74	Reinerman Station (DEF1)	2020-1162	C2R	Harris	City	492G	0.14	0.00	3	David Ward Partners	Hovis Surveying Company Inc.
75	Relux Senior Living	2020-1294	C2R	Harris	City	529H	2.10	2.10	0	Relux at Westchase, LLC	CE Engineers & Development Consultants, INC
76	Reserve at Gulfpoint partial replat no 2	2020-1295	C2R	Harris	City	576Z	19.02	19.02	0	Wycoff Development	PROSURV
77	Reyes Square	2020-1251	C2R	Harris	ETJ	414L	0.49	0.42	0	N/A	South Texas Surveying Associates, Inc.
78	Rodriguez Estates	2020-1308	C2R	Harris	City	412S	0.22	0.00	2	TREVINO ENGINEERING	Survey Solutions of Texas
79	Serenity Grove at Beall (DEF1)	2020-1111	C2R	Harris	City	452C	0.46	0.01	8	Septunum, LLC	ICMC GROUP INC
80	Shady Acres Second Section partial replat no 5	2020-1256	C2R	Harris	City	452T	0.51	0.00	10	Starwood Ventures LLC IV	Survey 1, Inc.
81	Sheldon Woods Sec 1 partial replat no 1	2020-1241	C2R	Harris	ETJ	418X	0.41	0.41	0	Ellis Surveying Services	Ellis Surveying Services, LLC

Platting Summary**Houston Planning Commission****PC Date: August 06, 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
82	Slate Heights	2020-1248	C2R	Harris	City	452U	2.84	2.84	0	Kimley-Horn, Inc	Terra Surveying Company, Inc.
83	Southern Village Sec 1 partial replat 1 (DEF1)	2020-1182	C2R	Harris	City	533M	0.16	0.00	2	INDIVIDUAL	RED CONSULTANTS
84	Vera Place (DEF2)	2020-1086	C2R	Harris	City	415W	0.21	0.21	2	CARTA GOMEZ INTERNATIONAL LLC	CARTA GOMEZ INTERNATIONAL LLC
85	Wavell Square	2020-1160	C2R	Harris	City	412N	0.17	0.00	2	Mckinley Homes	South Texas Surveying Associates, Inc.
86	White Oak Balconies (DEF1)	2020-1229	C3R	Harris	City	493C	1.02	0.10	20	New Skies Ventures	The Interfield Group
87	Womack Landing	2020-1275	C2R	Harris	City	533Y	0.23	0.00	3	Jennigs Development LLC	CGES Bailey Planning

C-Public Hearings Requiring Notification

88	Agua Estates Commercial (DEF1)	2020-0861	C3N	Harris	City	571H	0.06	0.06	0	Crown Castle	Vincent Gerard & Associates, Inc.
89	Alameda Genoa Place partial replat no 2	2020-0896	C3N	Harris	City	574N	0.56	0.00	2	13111 Cottingham Project	Chesterfield Development Services
90	Atwood Villas partial replat no 2 (DEF1)	2020-0944	C3N	Harris	City	491Z	0.17	0.17	0	Harris Kirmani	SEM SERVICES
91	Briargate Sec 10 partial replat no 1 (DEF1)	2020-0889	C3N	Fort Bend	City	571W	1.69	0.06	10	KASMANI COSTRUCTIONS LLC	ONE STOP REALTY SERVICE.
92	Foster Place partial replat no 5	2020-0985	C3N	Harris	City	533M	0.12	0.00	2	Park Street Development LLC	RP & Associates
93	Hyde Park partial replat no 9 (DEF2)	2020-0776	C3N	Harris	City	493N	0.14	0.00	2	Sandcastle Homes, Inc.	The Interfield Group
94	Hyde Park partial replat no 10 (DEF2)	2020-0790	C3N	Harris	City	493N	0.14	0.00	2	Pearl Developments	replats.com
95	Lakes at Cypress Hill partial replat no 1	2020-1047	C3N	Harris	ETJ	327E	4.18	0.00	3	Landtech, Inc.	Landtech, Inc.
96	Northgrove Sec 5 partial replat no 2	2020-1039	C3N	Montgomery	ETJ	249K	11.27	6.99	18	Toll Brothers	Costello, Inc.
97	Nueces Park Place Sec 1 replat no 1	2020-1092	C3N	Harris	ETJ	375W	33.07	33.07	0	Trinity Nueces Park LP	Bury
98	Stogner partial replat no 2 (DEF1)	2020-0922	C3N	Harris	City	452B	1.59	0.02	24	Stoneworks, LLC	Total Surveyors, Inc.

D-Variances

99	American Tower Victor	2020-1155	C2	Harris	ETJ	377S	0.11	0.11	0	American Tower	American Tower
100	Independence Heights partial replat no 1 (DEF1)	2020-0995	C2R	Harris	City	452R	0.11	0.00	2	TERAN GPOUP	Teran Group LLC
101	Magnolia Park Sec 2 partial replat no 5	2020-1184	C2R	Harris	City	495X	0.63	0.63	0	Leo Flores	SEM SERVICES
102	Navigation Mill (DEF2)	2020-1119	C2R	Harris	City	494J	6.23	6.13	0	Kimley-Horn	Windrose
103	Wholesale Electric Warehouse replat no 1	2020-1126	C2R	Harris	City	494W	5.65	5.65	0	Spencer Fane	Miller Survey Group

E-Special Exceptions

None

Platting Summary**Houston Planning Commission****PC Date: August 06, 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

F-Reconsideration of Requirements

None

G-Extensions of Approval

104	Becker Meadows Wastewater Treatment Plant	2019-1430	EOA	Harris	ETJ	325A	3.66	3.66	0	Friendswood Development Company	Costello, Inc.
105	Birnam Wood Sec 5 partial replat no 1 and extension	2019-1378	EOA	Harris	ETJ	293Z	0.22	0.00	0	Benchmark Aquisitions, LLC A Texas Limited Liability Company	EHRA
106	Bissonnet Trade Center	2019-1217	EOA	Harris	City	529S	2.22	2.22	0	CE Engineers & Development Consultants, INC	CE Engineers & Development Consultants, INC
107	Cherry Industrial Center	2019-1423	EOA	Fort Bend	ETJ	612E	28.88	28.88	0	Cherry Companies	Texas Engineering And Mapping Company
108	Copper Ridge at Indian Trails Sec 2	2019-2290	EOA	Harris	ETJ	328P	13.99	0.63	63	CC Spring Cypress Residential 56.41 LP	Costello, Inc.
109	Copper Ridge at Indian Trails Sec 3	2019-1652	EOA	Harris	ETJ	328P	5.09	0.93	17	CC Spring Cypress Residential 56.41 LP	Costello, Inc.
110	Cypresswood Landing Sec 1	2019-1376	EOA	Harris	ETJ	293Z	42.06	5.86	292	Benchmark Aquisitions, LLC A Texas Limited Liability Company	EHRA
111	Faith Tabernacle	2019-1529	EOA	Harris	ETJ	289L	4.00	4.00	0	UNITED PENTECOSTAL CHURCH OF TOMBALL	Atkinson Engineers
112	Huffman Place	2019-1406	EOA	Harris	ETJ	339A	2.26	2.25	0	SRS Huffman Property LLC	E.I.C. Surveying Company
113	Lakewood Pines Sec 11	2019-1492	EOA	Harris	ETJ	377P	16.67	2.72	61	KB Home Lone Star, Inc.	Jones Carter - Woodlands Office
114	Seamist Sec 2	2019-1676	EOA	Harris	City	452W	4.02	0.95	41	Sullivan Bothers Builders	Jones Carter - Woodlands Office
115	Vibhava Village	2019-1319	EOA	Harris	ETJ	369D	3.00	2.85	0	SG Vibhava, LLC	The Pinnell Group, LLC
116	Woodland Lakes Sec 3	2019-1428	EOA	Harris	City	338M	17.13	0.42	98	WL Woodland Lakes, LLC	Texas Engineering And Mapping Company
117	Woodland Lakes Sec 4	2019-1432	EOA	Harris	City	338M	15.52	1.10	78	WL Woodland Lakes, LLC	Texas Engineering And Mapping Company

H-Name Changes

None

I-Certification of Compliance

118	27811 N Ossineke Drive	20-1538	COC	Montgomery	ETJ	294K				Orlando and Jaqueline Jimenez	Orlando and Jaqueline Jimenez
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J-Administrative

Platting Summary**Houston Planning Commission****PC Date: August 06, 2020**

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

None

K-Development Plats with Variance Requests

119	3116 Columbia	19129643 DPV	Harris	City	453N					Matthews Investments Southwest Inc.	Owens Management Systems, LLC
120	3854 Durness Way	20038323 DPV	Harris	City	532J					Blake and Joel Watts	Ashwood Designs

Off-Street Parking Variance Requests

III	1914 Summer Street	20055965 PV	Harris	City	493F					Robert Fiederlein	Avenue CDC
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Houston Planning Commission

ITEM: 88

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Agua Estates Commercial (DEF 1)

Applicant: Vincent Gerard & Associates, Inc.



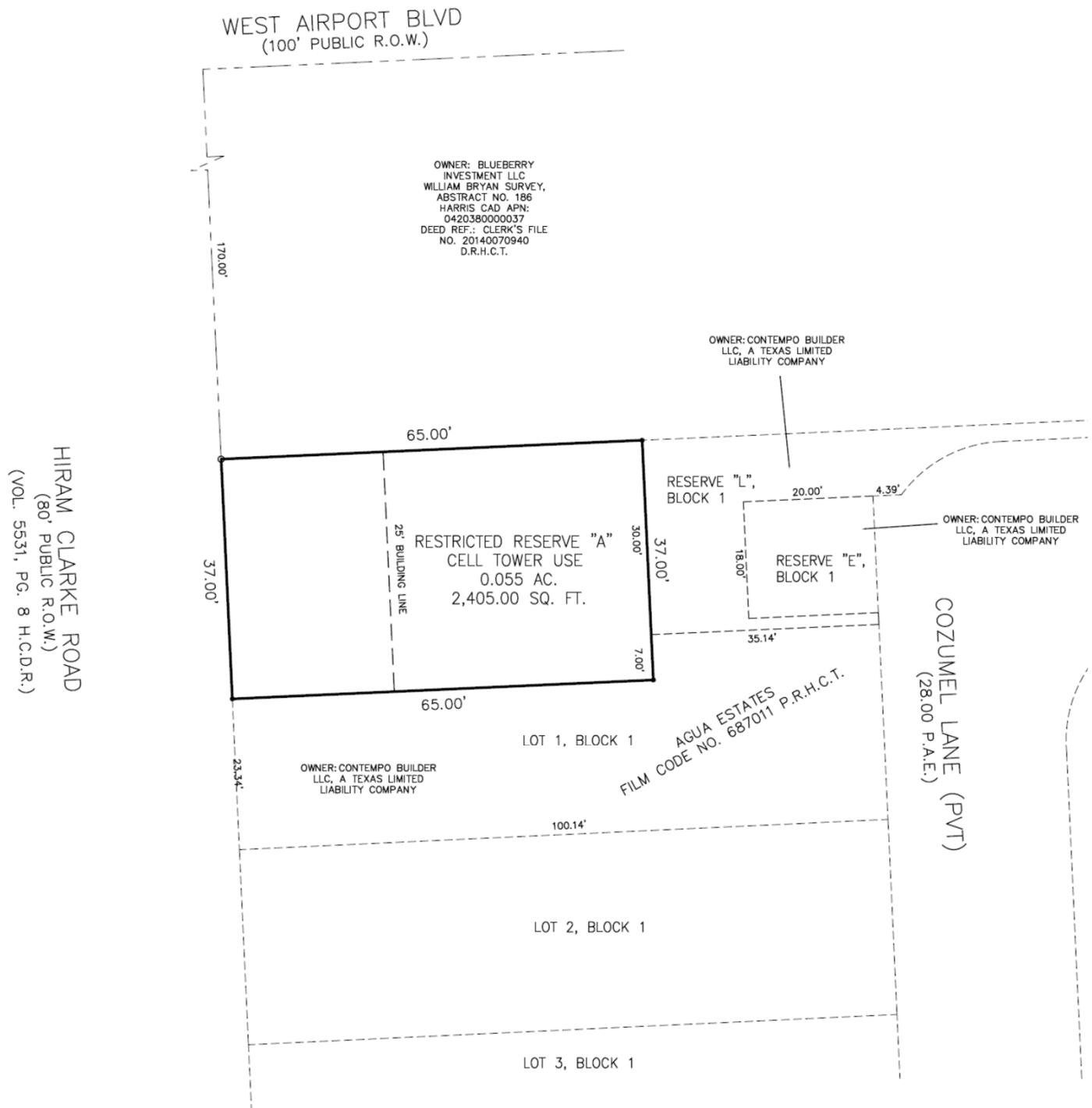
C – Public Hearings with Variance Site Location

Houston Planning Commission

Planning and Development Department

ITEM: 88

Meeting Date: 08/06/2020



C – Public Hearings with Variance

Subdivision

Houston Planning Commission

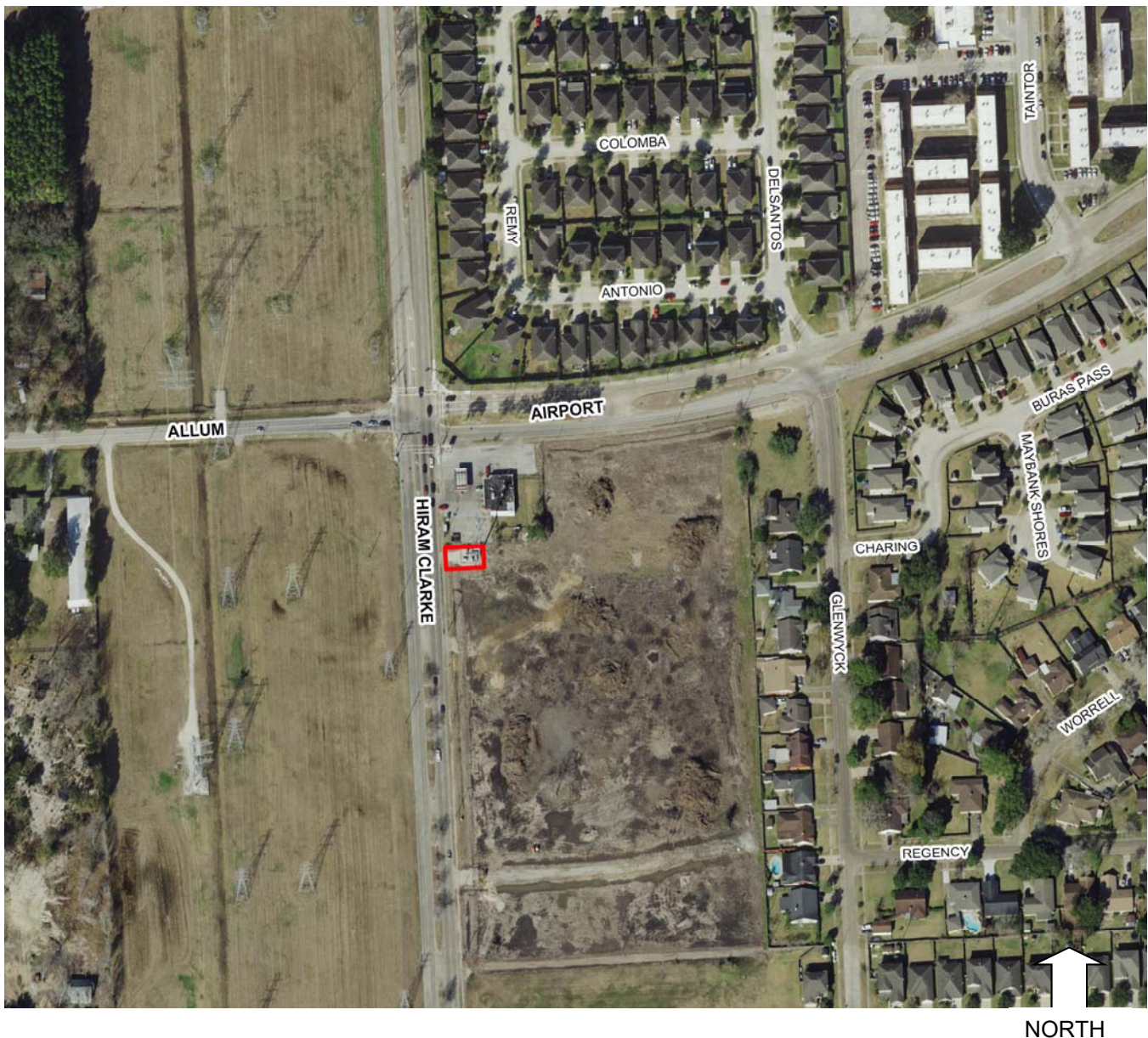
ITEM: 88

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Agua Estates Commercial (DEF 1)

Applicant: Vincent Gerard & Associates, Inc.



C – Public Hearings with Variance

Aerial



Application Number: 2020-0861

Plat Name: Agua Estates Commercial

Applicant: Vincent Gerard & Associates, 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:

We request a variance from Ch. 42-190 for not meeting the minimum size and frontage requirement for reserve restricted to cell tower use and to allow the cell tower use reserve to be 2,405 sq. ft. instead of the minimum size requirement of 5,000 sq. feet and provide 37 feet of frontage instead of the required 60 feet.

Chapter 42 Section: 190

Chapter 42 Reference:

(c) Each reserve shall meet the following requirements for minimum size, the type and width of street or shared driveway on which it may be located, and the minimum frontage, as applicable to the type of reserve: TYPE OF RESERVE MINIMUM SIZE TYPE OF STREET OR SHARED DRIVEWAY MINIMUM STREET OR SHARED DRIVEWAY WIDTH MINIMUM STREET OR SHARED DRIVEWAY FRONTAGE Restricted reserve—All other 5,000 sq. ft. public street 60 feet (50 feet in a street width exception area) 60 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

Yes, due to a land lease document from the land owner granting rights to use the land by the cell tower company that predates the original Agua Estates subdivision approval application, noted on the subdivision, not allowing the variance will deprive the applicant of the reasonable use of the land because it would create a non-conforming use. The use of the cell tower is an existing use, and the reserve "L" on which it was built upon should have been labeled as restricted to cell tower use when it was recorded. The land use was existing and granted by permit access to the ROW.

(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;

No, the land on which the cell tower was created was subsequently platted after the lease document was created by the land owner and the lease grantee, the cell tower has been in operation since 2004. The original subdivision designer, recognizing the existing land use, as noted on the subdivision document, references the cell tower company lease on the original Agua Estates. However, the use for the lot was established as a restricted reserve "L", which limits the land use to open space only, when in reality it has been and is a cell tower use. Furthermore, we propose to create a reserve limited to cell tower use only, while replatting the restricted reserve "L" and lot 1. The second reason we need to create a new parcel of land separate from the two existing parcels is because the cell tower construction encroached over the single family use 7 feet along 65 feet of lot 1, block 1, which was agreed upon by the land owner in subsequent lease term agreement. The land owner has mentioned a change of use for Lot 1 block 1, a dog park for residents.

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

Yes, apart from the request for variance approval, all other sections are to be preserved and maintained.

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

No, we do not believe that the granting of this variances for not meeting the minimum frontage requirements will cause injury because there is sufficient room to pass for a technician to access the site from their vehicle. Also, the cell tower complex is an unmanned, uninhabitable use for the proposed unrestricted reserve, where the technician will only access the site for regular maintenance. Lot 1 is reportedly to become a dog park and not to be a single family use, even though it was been platted as such. Deed restrictions will be amended.

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

No, economic hardship is not the sole justification for the request of this variance. We request this variance as a duty to the land owner per their agreements established that we would replat the property and revise the lot lines of Lot 1. Lot 1 is restricted to single family only, but the owner has reportedly decided to create a dog park for the community instead, in place of a single family residence lot on Lot 1 Block 1.



Application Number: 2020-0861

Plat Name: Agua Estates Commercial

Applicant: Vincent Gerard & Associates, 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:

We request a variance from Sect. Code 42-193 to replat a portion of a lot and an open space reserve into a reserve restricted to cell tower use.

Chapter 42 Section: 42-193c

Chapter 42 Reference:

(c) Property within a subdivision plat that contains lots restricted to single-family residential or residential use may be replatted to amend a plat restriction only as provided below: (1) A plat restriction limiting the use of property to residential or single-family residential use may be amended to permit the use of that property only for landscape, park, recreation, drainage, or open space uses.

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

Yes, due to a land lease document from the land owner granting rights to use the land by the cell tower company that predates the original Agua Estates subdivision approval application, noted on the subdivision, not allowing the variance will deprive the applicant of the reasonable use of the land because it would create a non-conforming use. The use of the cell tower is an existing use, and the reserve "L" on which it was built upon should have been labeled as a cell tower use and not a restricted reserve limited to open space only. We believe this was an error not caused by the Cell tower user.

(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;

No, the land on which the cell tower was created was subsequently platted after the lease document was created by the land owner and the lease grantee and after the wireless site was an existing use. The original subdivision designer, recognizing the existing land use, as noted on the subdivision document, references the cell tower company lease on the original Agua Estates. However, the use for the lot was established as a restricted reserve "L", which limits the land use to open space only, which is ok as a lease space, but for a plat it needs to be revised.

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

Yes, we request the variance to convert an open space reserve landscape area into a reserve restricted to cell tower use, for the purpose of changing the land use to a cell tower, the existing use since 2004.

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

The cell tower will not be injurious to the public health, safety or welfare. Also, the cell tower complex is an unmanned, uninhabitable use, where the technician will only access the site for regular maintenance.

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

No, economic hardship is not the sole justification for the request of this variance. We request this variance due to a hardship of having an existing cell tower that was built and permitted in 2004. However, the plat for this land use requires a public hearing and we are trying to bring the land use to conformance. The knowledge of the cellular tower use and land lease was noted on the restricted reserve "L" as was permitted, and was noted on the plat document. With this application, we replat the individual parcel as Agua Estates Commercial, and create a new reserve, the only land use which allows for a cellular tower. The cell tower is currently constructed, and is fully operational at this time.



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

July 1, 2020

Dear Property Owner:

Reference Number: 2020-0861, Agua Estates Commercial; replatting a portion of Lot 1 and Reserve L, block 1, as recorded at Film Code No. 687011 of the Harris County Map Records.

The property is located at east along Hiram Clarke Road south of West Airport Boulevard.

The purpose of the partial replat is to create an unrestricted reserve. .

The applicant, Elizabeth Carrera, with Vincent Gerard & Associates, Inc., on behalf of Crown Castle, can be contacted at 512-328-2693.

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, July 23, 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

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

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.

For additional information, you may also contact staff with the Planning and Development Department regarding this notice via email at 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

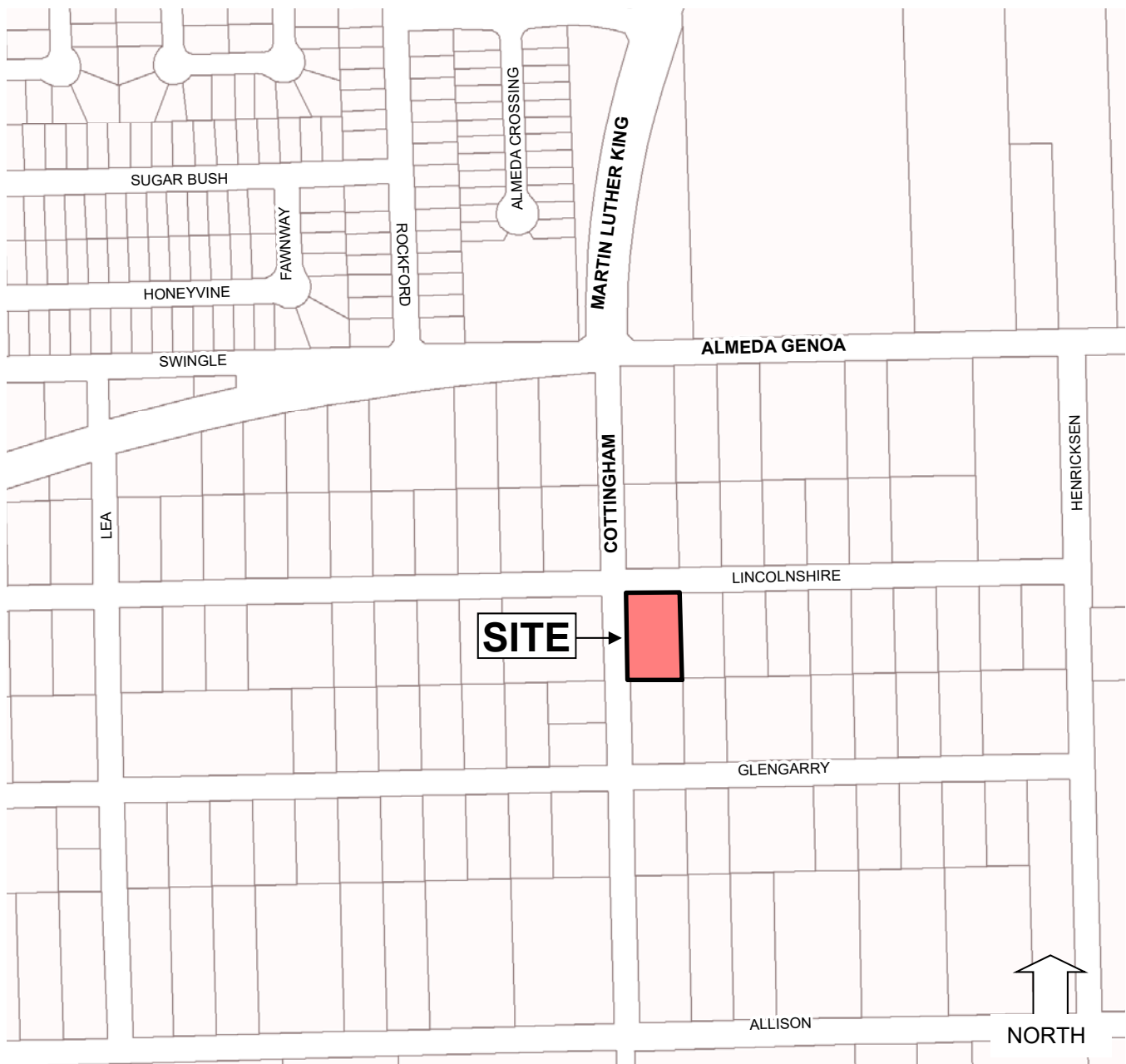
ITEM: 89

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Almeda Genoa Place partial replat no 2

Applicant: Chesterfield Development Services



C – Public Hearings with Variance Site Location

Subdivision

Houston Planning Commission

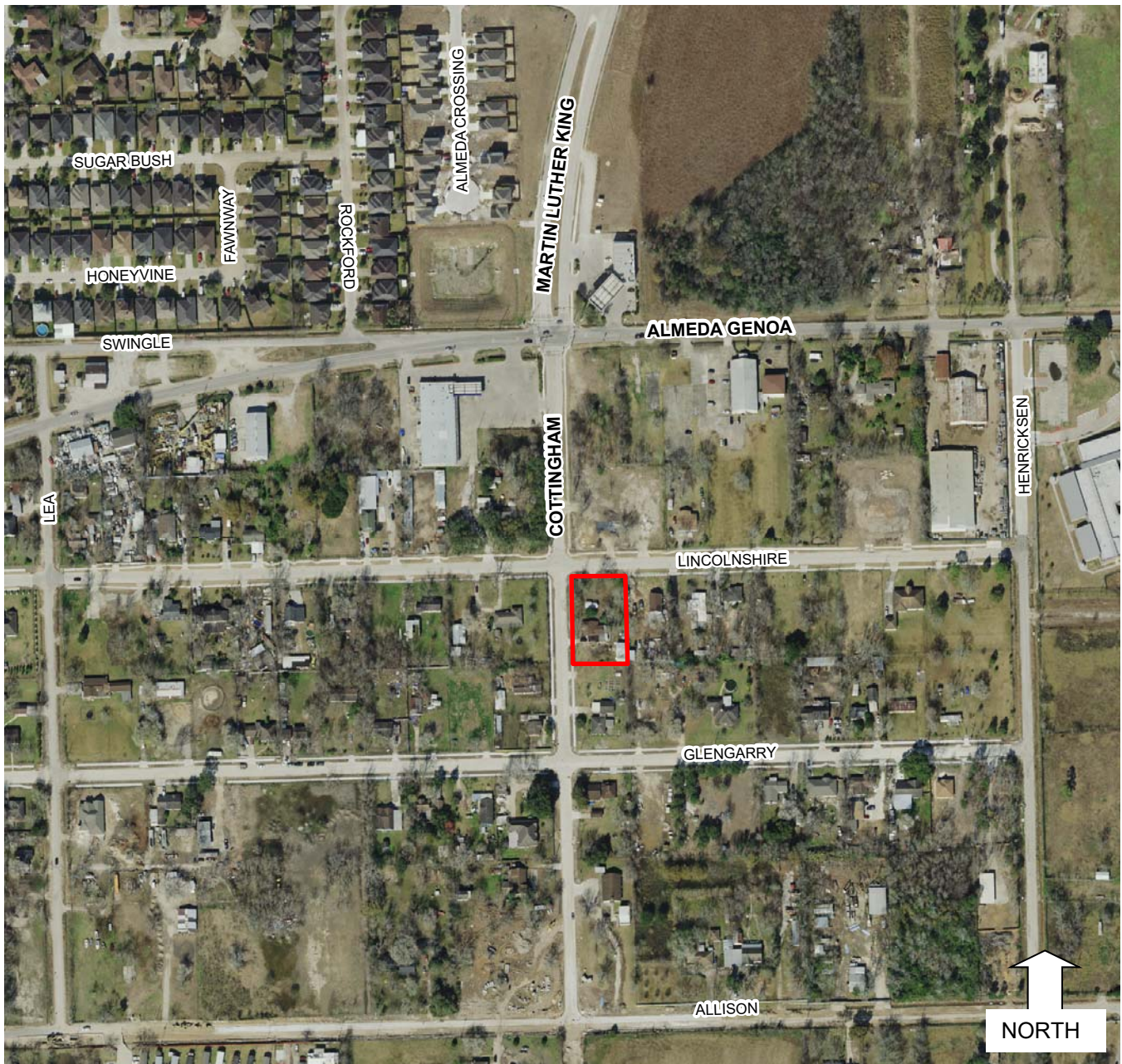
ITEM: 89

Planning and Development Department

Meeting Date: 08/06/2020

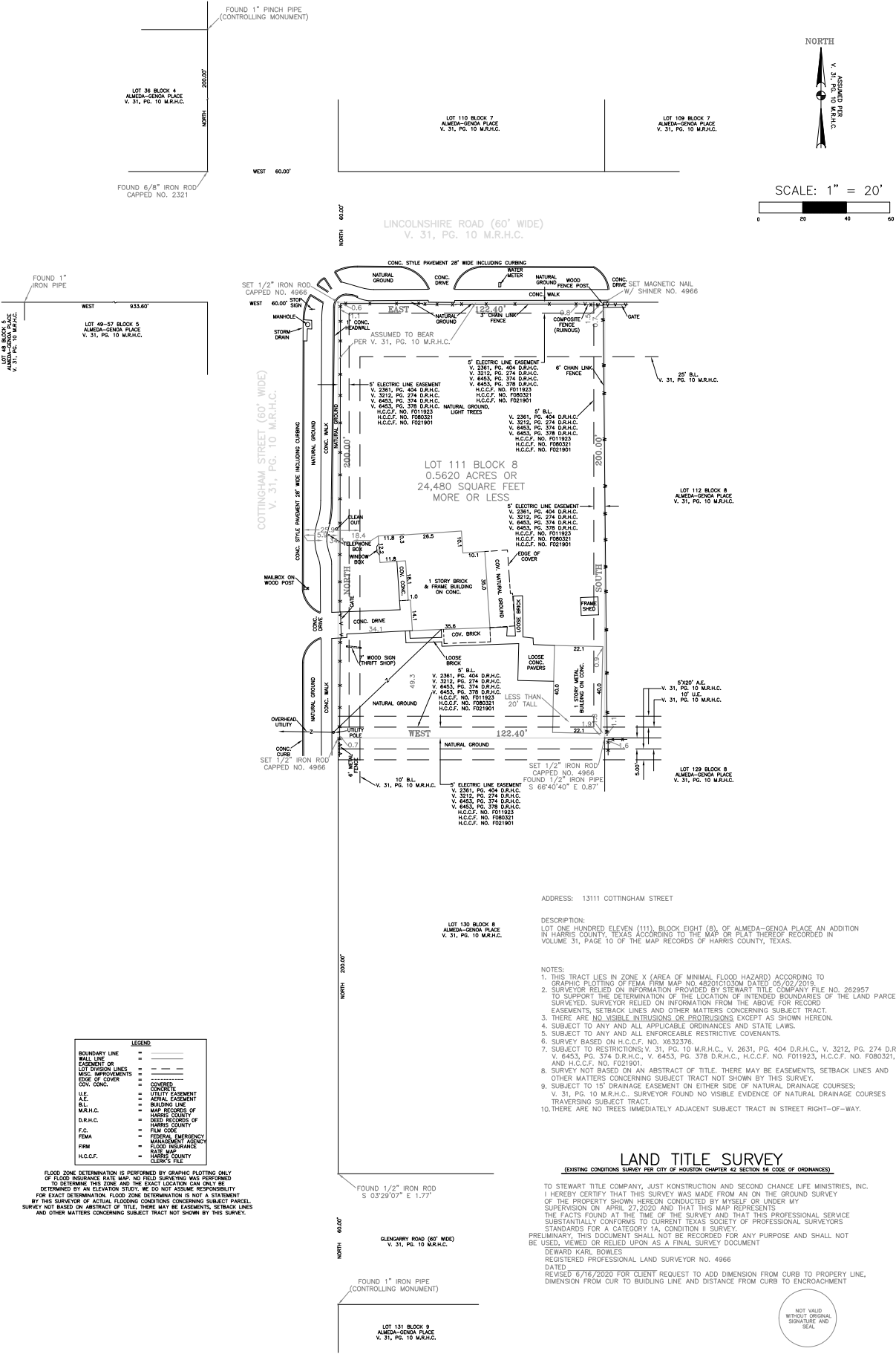
Subdivision Name: Almeda Genoa Place partial replat no 2

Applicant: Chesterfield Development Services



C – Public Hearings with Variance

Aerial





Application Number: 2020-0896

Plat Name: Almeda Genoa Place partial replat no 2

Applicant: Chesterfield Development Services

Date Submitted: 06/01/2020

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 lot less than one acre to take access from a MTF

Chapter 42 Section: 42-188

Chapter 42 Reference:

A single-family residential lot shall not have direct vehicular access to a major thoroughfare unless:(1)The lot takes vehicular access to a major thoroughfare through a shared driveway that meets the requirements of subdivision B of division II of this article; or(2)The lot is greater than one acre in size and the subdivision plat contains a notation adjacent to the lot requiring a turnaround on the lot that prohibits vehicles from backing onto the major thoroughfare.

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 owner wants to subdivide said property at the corner of Cottingham (60' ROW) and Lincolnshire Streets (60' ROW) to create two residential lots. The hardship on Lot 2 is created by the 20' dedication to widen the street. Lot 1 is in full compliance with Chapter 42 as depicted with a 20' dedication to the City of Houston for ROW purposes, a 25' setback line on both Cottingham and Lincolnshire streets, along with the release of a 20' strip of land in the back along Lincolnshire and 100' along the south east side to provide ingress and egress to Lot 2 (flag lot). The creation of Lot 1 (8,240 sf) is a reasonable use of land that conforms with the standards of Chapter 42 without a variance. Any undue hardship with regard to this project has to do with the existing physical conditions on Lot 2 after giving up a 20' dedication of its property for right-of-way purposes on Cottingham St. The site is located in a residential neighborhood between Almeda Genoa and Beltway 8. In this area, Lincolnshire is a short street that dead ends into Frost Elementary school which is one block from the site and it becomes a stub street two blocks in the other direction. There is not a lot of traffic in this area and developing Lot 1 will not impact the traffic either. The owner would be deprived of reasonable use of land and incur an undue hardship if the variance is not granted to maintain the use the driveway on Lot 2, since her home was built in 1958 according the Harris County Appraisal District and plating was not required at the time. According the major thoroughfare map, Cottingham St. will be widened to 100' ROW. Cottingham St becomes Martin Luther King Jr Blvd on the other side of Almeda Genoa (which is one block past Lincolnshire). The property owner is willing to give the appropriate dedication to widen Cottingham and would like to maintain the use of the home and existing driveway on Lot 2. Once to road is widened or if the home is destroyed, the owner will take access from Lincolnshire. For safety reasons, the preference is to use Lincolnshire instead of a shared driveway since the house is built at an angle and it is not feasible based on the way the house sits on the land. At the time, the existing home was built in 1958 the right-of-way was 60' along Cottingham St. before the platting ordinance was adopted. The owner currently resides in Lot 2 and would like to maintain the use of the existing driveway by turning around in her yard. Lot 2 is large enough to turn around in the designated permeable space in her yard and not back out onto the street. Since the existing home was built before the Chapter 42 ordinance was established and before the MTP to widen Cottingham, the variance being requested is to allow the existing home to remain in place with a dual building line and access to the existing driveway and turn-around space on Lot 2. The owner would be deprived of reasonable use of land since the street is not a Capitol Improvement Project scheduled to be developed through 2024. Furthermore, it would be an undue hardship if the variance is not granted to maintain the use her driveway now and until the street is widened. Once to road

is widened or if the home is destroyed, the owner will take access from Lincolnshire. In the meantime, she should be allowed to use her existing driveway with turnaround space in the yard on Lot 2.

(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;

na

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

Due to the unusual physical characteristics of the property on Lot 2 as a result of the 20' dedication to the city for right-of-way purposes, a hardship is created through no fault of the owner and the existing house is grandfathered since it was built in 1958 before Chapter 42. Although the lot is less than an acre, there is enough space to turn around in the yard. The owner lives in the existing residential structure on Lot 2 and would like to maintain access from the proposed major thoroughfare since Cottingham is currently a 60' ROW with no plans to be widened in the immediate future. Whenever the street is ready for development, the owner will take access from Lincolnshire. Since there could be a number of years before the street is actually widened and the house currently sits on a 60' ROW in a quiet neighborhood with a small traffic flow, the owner should be able to use her driveway until the future development of Cottingham actually happens. The way that the existing home sits on the land on Lot 2, it creates an undue hardship through no fault of the owner since the house was built in 1958 and there is not a lot of traffic in the area.

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

Allowing the owner to maintain the use of her existing driveway on Lot since the home is grandfathered will preserve and maintain the intent and purpose of this chapter because the house was built in 1958 before Chapter 42 was established. Allow the owner to continue to use driveway of the existing house on Lot 2 until such time that Cottingham is widened is a win-win situation because it allows the owner an opportunity to use the property for easy access to the front door until the proposed widening occurs. She is giving a 20' dedication for ROW with the understanding that if the building is demolished or destroyed or the development is imminent. The owner wants to allow the existing home on Lot 2 to remain in place without having to move it. Lot 1 will comply with the 25' building line.

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

The existing home on Lot 2 was built in 1958 according to the codes and specifications of the City of Houston and allowing the house along with its driveway with a turnaround will not be injurious to the public health, safety, or welfare since the home is located in a quiet, mostly residential neighborhood that is not densely populated. Furthermore, granting the variance is not injurious to public health, safety, or welfare because the owner plans to use the driveway until the widening occurs which could take a number of years.

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

The hardship on Lot 2 is created by the 20' dedication to widen the street. This variance request is due to the fact that the existing building on Lot 2 was built at a time when it was not foreseeable that Cottingham St (60' ROW), a local street in a residential community, would eventually become a major thoroughfare. Since the house is already built any hardship that exists is there whether Lot 1 is developed or not. The owner wants the existing residence to remain in place with use of the existing driveway until the street widening occurs. This is a reasonable request.



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

July 15, 2020

Dear Property Owner:

Reference Number: 2020-0896; Almeda Genoa Place partial replat no 2; partial replatting of "**Almeda Genoa Place**". This proposal includes the replatting of lot 111, Block 8 as recorded in Volume 31 Page 10 of the H.C.M.R.

The property is located at the southeast intersection of Lincolnshire road and Cottingham Street. The purpose of the replat is to create two single family residential lots. The applicant, Monica Fontenot-Poindexter, with Chesterfield Development Services, on behalf of 13111 Cottingham Project, can be contacted at 713-538-5364.

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. The variance(s) request are attached.

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, August 6th, 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

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

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.

For additional information, you may also contact staff with the Planning and Development Department regarding this notice via email at 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: 90

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Atwood Villas partial replat no 2 (DEF 1)

Applicant: Sem Services



C – Public Hearings with Variance Site Location

Houston Planning Commission

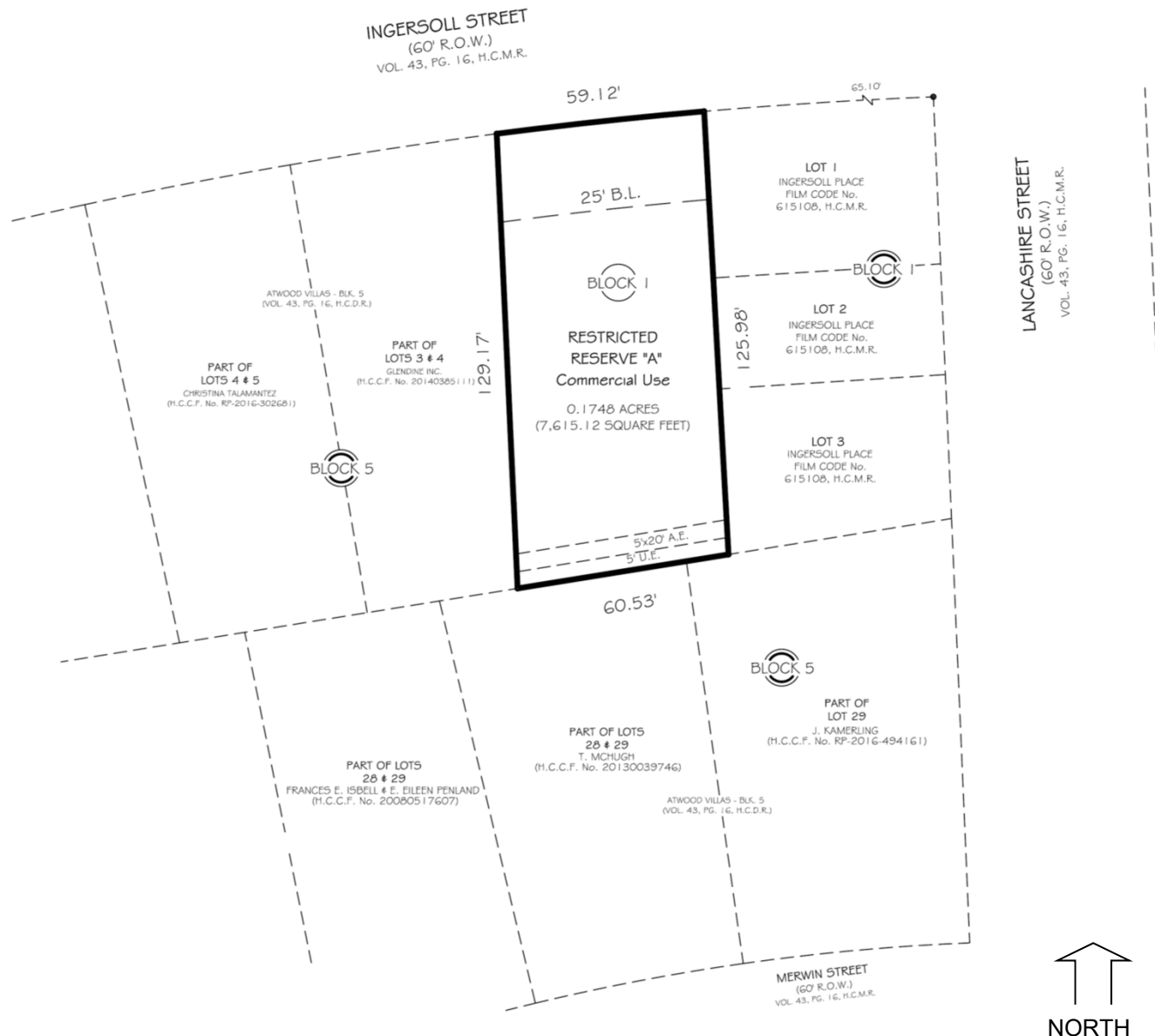
ITEM: 90

Planning and Development Department

Meeting Date: 08/6/2020

Subdivision Name: Atwood Villas partial replat no 2

Applicant: Sem Services



C – Public Hearings with Variance

Subdivision

Houston Planning Commission

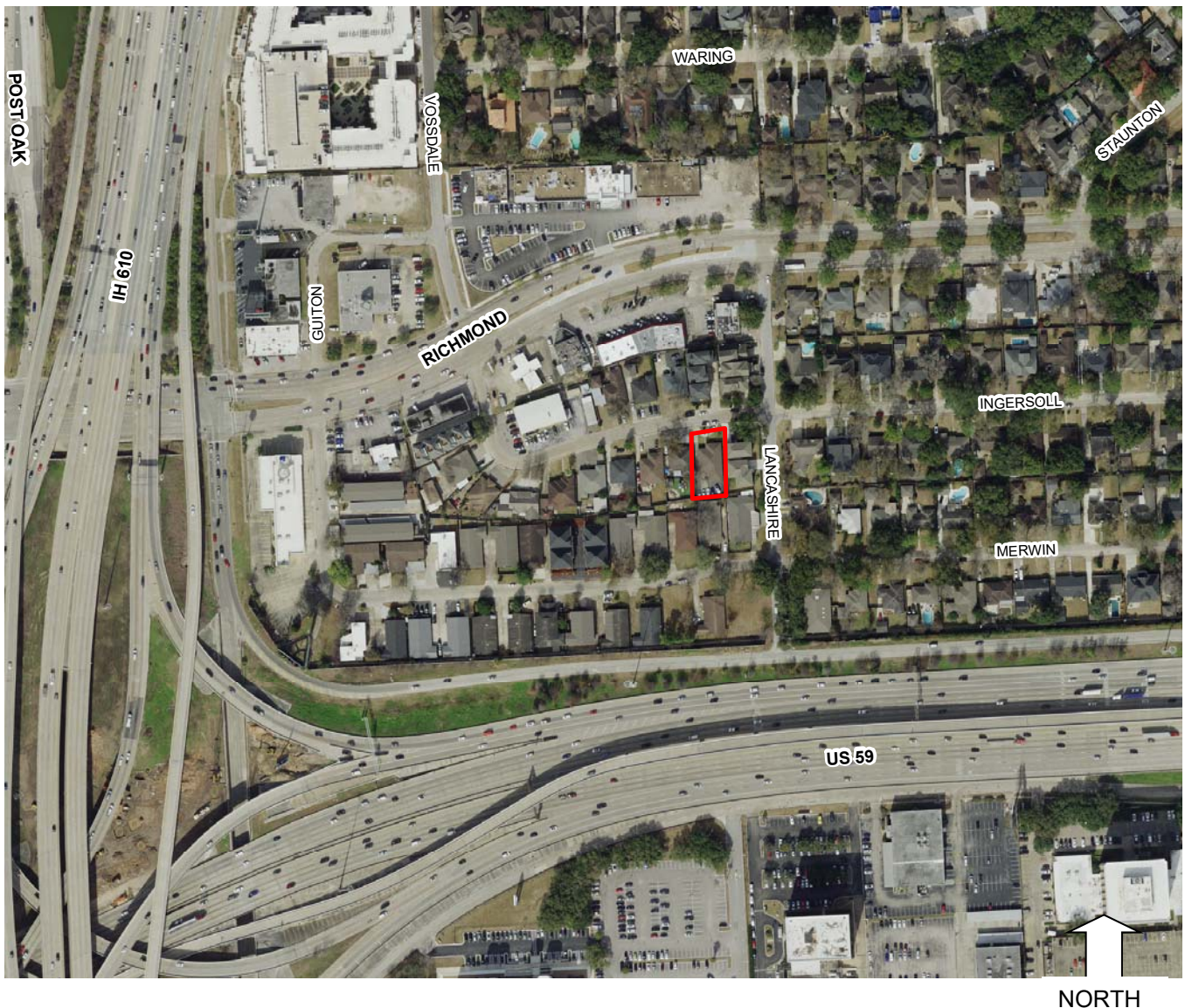
ITEM: 90

Planning and Development Department

Meeting Date: 08/06/2020

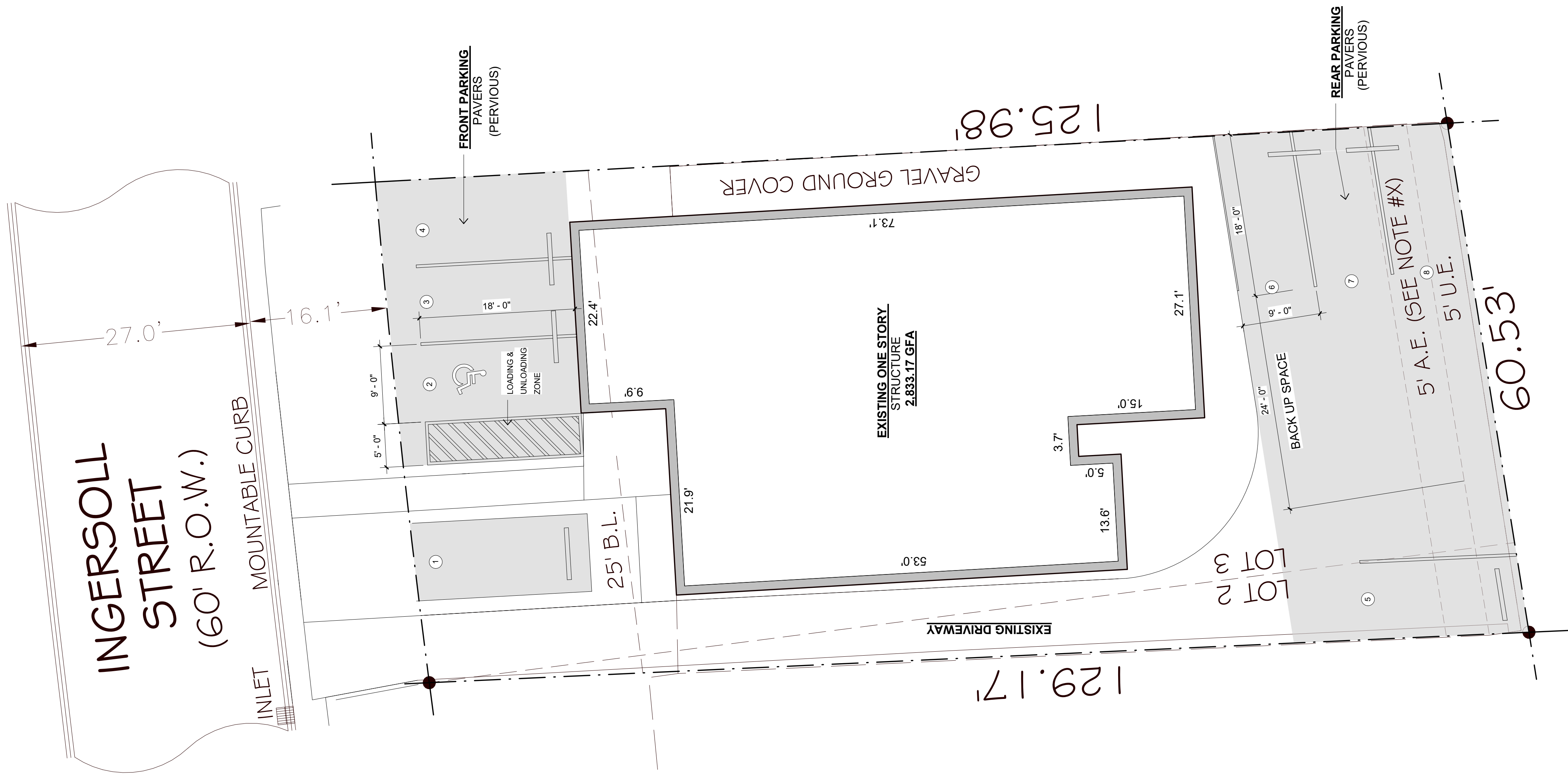
Subdivision Name: Atwood Villas partial replat no 2 (DEF 1)

Applicant: Sem Services



C – Public Hearings with Variance

Aerial



PARKING ANALYSIS:

PARKING CALCULATION IS BASED ON MUNICODE (CITY OF HOUSTON PARKING ORDINANCE) CHAPTER 26- 492 DATED 9/19/2014

THE PROJECTS OCCUPANCY IS CLASSIFIED AS "B" OCCUPANCY, OFFICE.

2.5 PARKING SPACES FOR EVERY 1,000 SQ.FT. GFA

PROJECTS GFA= 2,833.17 SQ.FT. $2,833.17 : 1000 = 2.8$

$2.8 \times 2.5 = 7.07$ PARKING SPACES

REQUIRED = 7.0 PARKING
PROVIDED = 8.0 PARKING

(4) PARKING SPACES ON THE FRONT INCLUDING (1) HANDICAP WITH DEDICATED LOADING & UNLOADING ZONE
(4) PARKING SPACES IN THE REAR

1 SITE PLAN
1/8" = 1'-0"
RE:



Application Number: 2020-0944

Plat Name: Atwood Villas partial replat no 2

Applicant: SEM SERVICES

Date Submitted: 06/01/2020

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 Restricted Reserve (Commercial use) to have 59.12 feet of street frontage instead of the required 60 feet.

Chapter 42 Section: 42-190

Chapter 42 Reference:

The site is located at south of the intersection of Richmond Avenue and Lancaster Street, near the corner of Ingersoll Street and Lancaster Street. The applicant is requesting one variance: 1. To allow a Restricted Reserve (Commercial use) to have 59.12 feet of street frontage instead of the required 60 feet. The subject tract is located near the corner of Ingersoll Street and Lancaster Street. Ingersoll Street is 60' ROW with a 27' paving section. The subject tract is being proposed to be a Restricted Reserve (Commercial use). More than half of the properties along Ingersoll Street are of mixed-used character. Meeting Chapter 42 minimum ROW street requirements, the subject site is landlocked and unable to buy additional land to meet the minimum Restricted Reserve width requirements. This Restricted Reserve is part of the recorded Atwood Villas, which created lots that are less than 60' in width per the recorded document. This has left this site with less the required 60' of frontage, thus as future redevelopment occurs in this evolving mixed-used subdivision. Not only this proposed Restricted Reserve (Commercial use), but also all future ones will not meet Chapter 42 requirements. Based on the existing character of the Atwood Villas mixed-use neighborhood, we request Planning Commission to allow this Restricted Reserve (Commercial use) have 59.12' of street frontage of the required 60'. As it is less a foot of difference and it is certain no additional land is available to meet the ordinance requirement.

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 imposition of the rules within Chapter 42 of a Restricted Reserve required to have 60' street frontage is depriving this development of reasonable use of the land. This Restricted Reserve is part of the recorded Atwood Villas, which created lots that are less than 60' in width per the recorded document. This has left this site with less the required 60' of frontage, thus as future redevelopment occurs in this evolving mixed-used subdivision. Not only this proposed Restricted Reserve, but also all future ones will not meet Chapter 42 requirements. Based on the existing character of the Atwood Villas mixed-use neighborhood, we request Planning Commission to allow this Restricted Reserve have 59.12' of street frontage of the required 60'. As it is less a foot of difference and it is certain no additional land is available to meet the ordinance requirement.

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

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

The 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.

(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.

(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.



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

June 29, 2020

Dear Property Owner:

Reference Number: 2020-0944, Atwood villas partial replat no 2; replatting of a portion of lots **2 & 3, Block 5** of Atwood Villas as recorded at Film Code No. **Volume 43 Page 16** of the Harris County Map Records.

The property is located at **south of Richmond Avenue, east of 610**. The purpose of the partial replat is to **create one unrestricted reserve**. The applicant, **STEPHANIE RIVERA-LOPEZ**, with **SEM SERVICES**, on behalf of **Harris Kirmani**, 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.

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, July 23, 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

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

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.

For additional information, you may also contact staff with the Planning and Development Department regarding this notice via email at 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: 91

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Briargate Sec 10 partial replat no 1 (DEF 1)

Applicant: ONE STOP REALTY SERVICE



C – Public Hearings with Variance Site Location

Houston Planning Commission

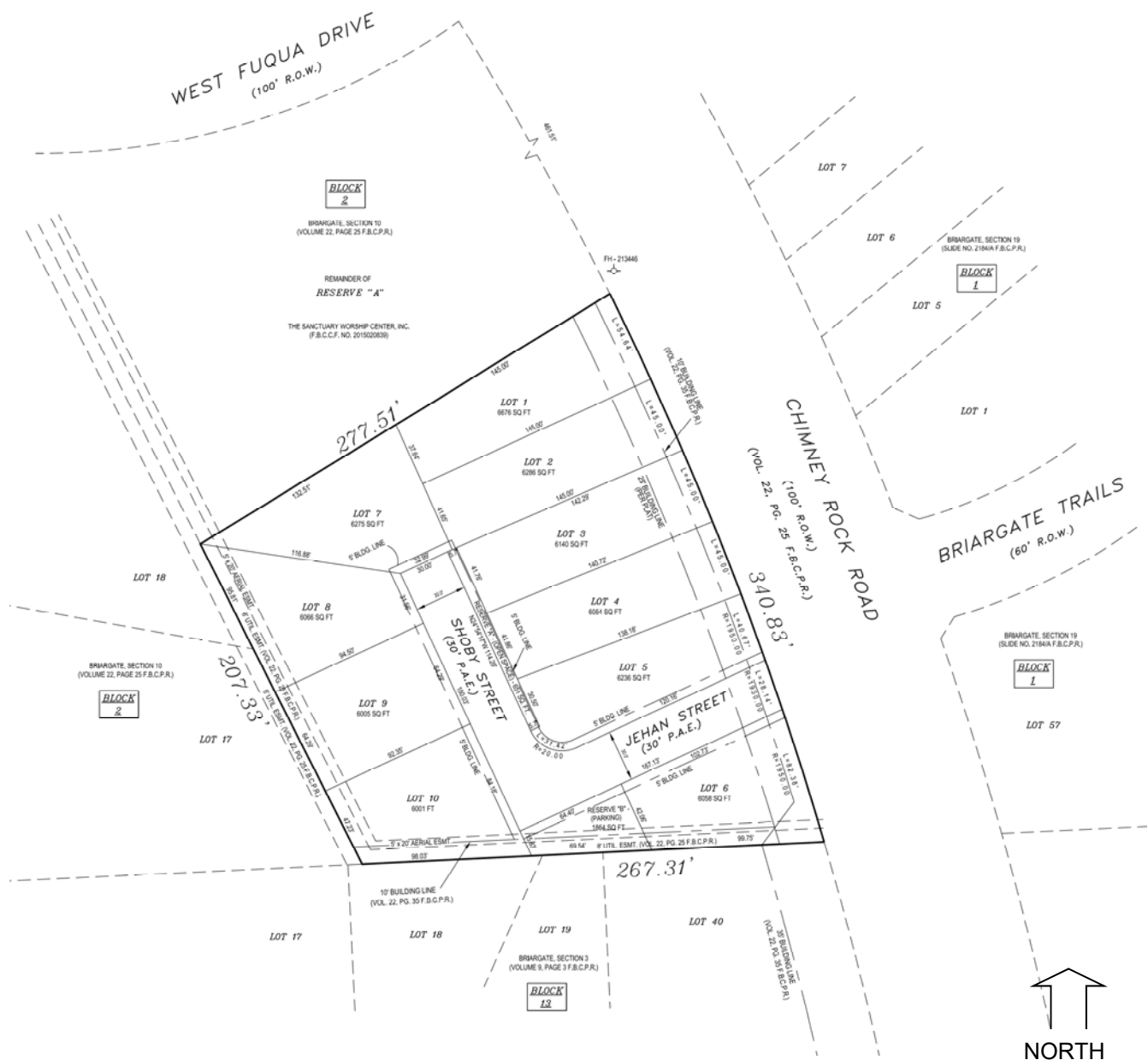
ITEM: 91

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Briargate Sec 10 partial replat no 1 (DEF 1)

Applicant: ONE STOP REALTY SERVICE



Houston Planning Commission

ITEM: 91

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Briargate Sec 10 partial replat no 1 (DEF 1)

Applicant: ONE STOP REALTY SERVICE



C – Public Hearings with Variance

Aerial



Application Number: 2020-0889

Plat Name: Briargate Sec 10 partial replat no 1

Applicant: ONE STOP REALTY SERVICE.

Date Submitted: 05/31/2020

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:

Allow single-family residential lots to be less than 1 acre in size and to take direct vehicular access from Chimney Rock Street, a major thoroughfare.

Chapter 42 Section: 188

Chapter 42 Reference:

Sec. 42-188. - Lot access to streets. (a) Each lot shall have access to a street or shared driveway that meets the requirements of this chapter and the design manual, subject to the limitations of this section. (b) A single-family residential lot shall not have direct vehicular access to a major thoroughfare unless: (1) The lot takes vehicular access to a major thoroughfare through a shared driveway that meets the requirements of subdivision B of division II of this article; or (2) The lot is greater than one acre in size and the subdivision plat contains a notation adjacent to the lot requiring a turnaround on the lot that prohibits vehicles from backing onto the major thoroughfare.

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;

There are several homes in same thoroughfare Chimney rock street using as driveway access. This street has mild traffic and mostly serving only residential home owners. We are planning to build affordable price homes to enhance subdivision's growth and best use of the land which was sitting un-developed since last 7-10 years. If all standards, condition applies then it will be hard to use of land within deed restrictions.

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

As you know, Houston and Missouri City is fastest growing city. This subdivision was developed in 1970-1980 and lots of home owners are willing to upgrade homes or looking to purchase at affordable price for their growing family. This variance is not result of hardship or imposed by applicant. Granting this variance will help provide best solution and use of land in efficient manner.

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

Yes. We assure city and neighbor from our end that this we will preserve and maintain the intent and general purpose of this chapter. As developer we will make sure that all home owners rights are protected.

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

There are several homes in same subdivision who already using Chimney rock access for driveway since 1970-1980 and have not found any incident which alarm any public health safety or welfare. We also assure that this variance will not effect any public safety, health or welfare.

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

Only sole justification of this variance is to enhance subdivision's growth and best use of the 1.69 acre land, and provide better and affordable housing to cater the need of home owners who are looking to upgrade or purchase new home for their future generation. This variance is not only economic hardship. It is practical from all aspects. It is best of everyone interest.



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

June 29, 2020

Dear Property Owner:

Reference Number: 2020-0889, "Briargate Sec 10 partial replat no 1"; replatting of a portion of Reserve A, of **"Briargate Sec 10"** as recorded in Vol. 22, Pg. 35 of Fort Bend County Plat Records.

The property is located along and west of Chimney Rock Road, south of W Fuqua Street and north of Ponsot Drive. The purpose of the replat is to create 10 single-family residential lots and 2 restricted reserves. The applicant, Shoaib Hussain, with One Stop Realty Service, on behalf of Kasmani Constructions LLC, can be contacted at 713-459-6655.

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, July 23, 2020 at 2:30 PM

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1. Send email to: 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.

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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.
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- **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.
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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

- 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.
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Planning Department Staff Authority and Obligation

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Houston Planning Commission

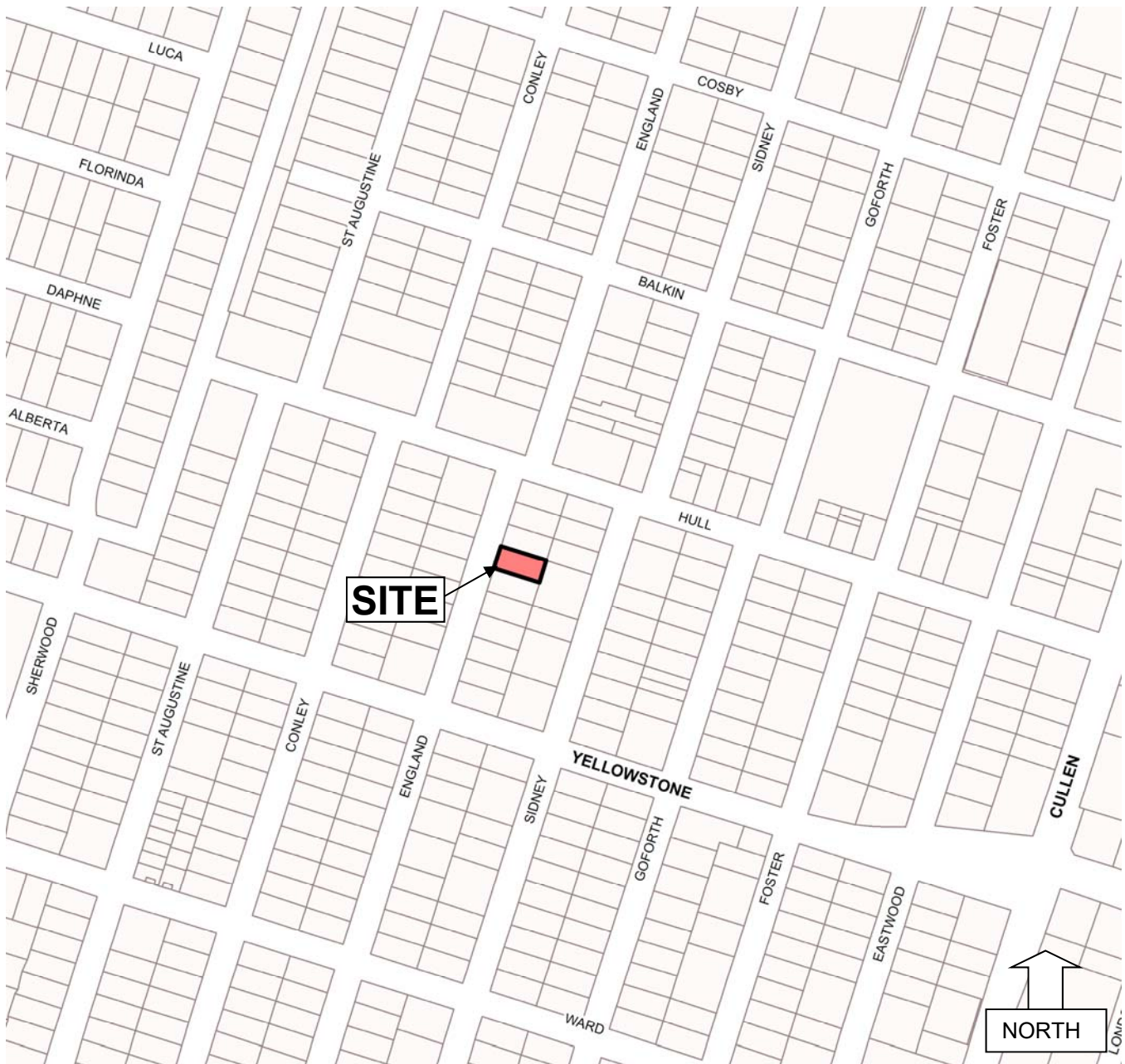
ITEM: 92

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Foster Place partial replat no 5

Applicant: RP & Associates



C – Public Hearings

Site Location

Houston Planning Commission

ITEM: 92

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Foster Place partial replat no 5

Applicant: RP & Associates



C – Public Hearings

Subdivision

Houston Planning Commission

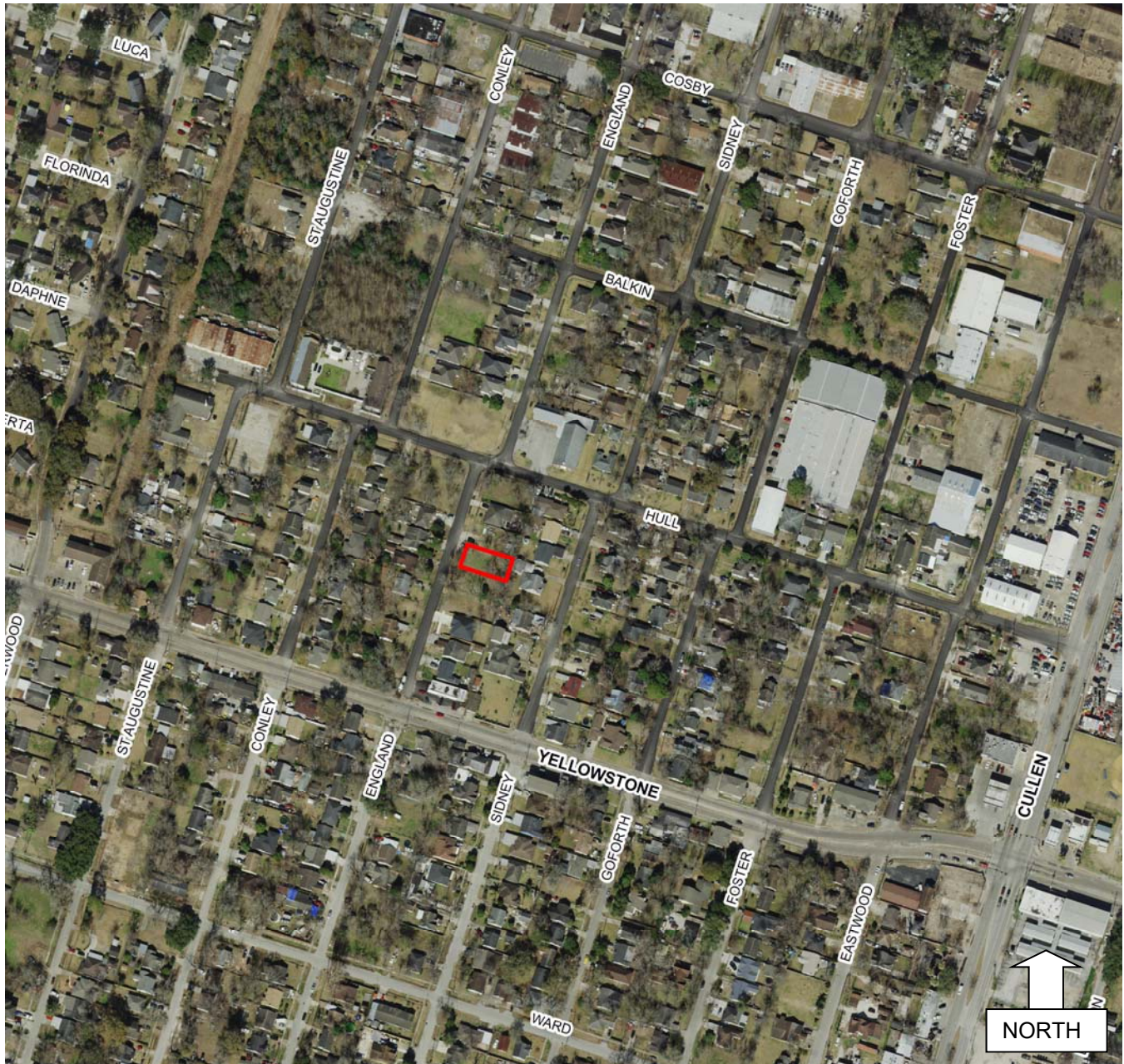
ITEM: 92

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Foster Place partial replat no 5

Applicant: RP & Associates



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

July 15, 2020

Dear Property Owner:

Reference Number: 2020-0985; Foster Place partial replat no 5; replatting of a portion of "Foster Place" as recorded in Vol. 655, Pg. 598 of the Harris County Deed Records.

The property is located east along England Street, west of Cullen Boulevard and north of Yellowstone Boulevard. The purpose of the replat is to create two (2) narrow, front-loading single family lots. The applicant, Ross Palacios, with RP & Associates, on behalf of Park Street Development, LLC, 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.

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, August 6, 2020 at 2:30 PM

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You may also contact staff with the Planning and Development Department regarding this notice via email at 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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- **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.
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Planning Commission Body, Authority and Obligation

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

Houston Planning Commission

ITEM: 93

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Hyde Park partial replat no 9 (DEF 2)

Applicant: The Interfield Group



C – Public Hearings

Site Location

Houston Planning Commission

ITEM: 93

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Hyde Park partial replat no 9 (DEF 2)

Applicant: The Interfield Group



C – Public Hearings

Subdivision

Houston Planning Commission

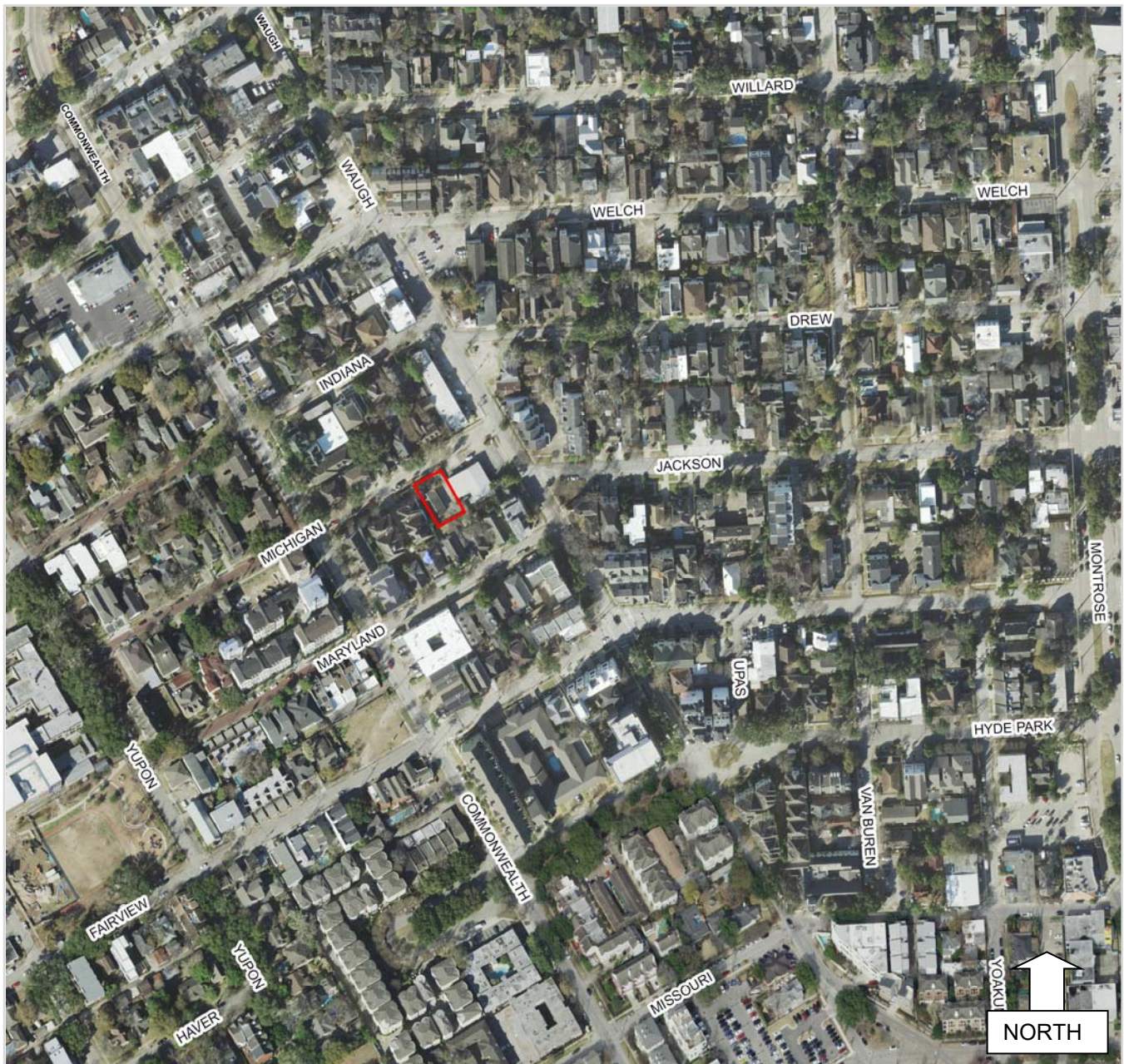
ITEM: 93

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Hyde Park partial replat no 9 (DEF 2)

Applicant: The Interfield Group



C – Public Hearings

Aerial



July 4, 2020

City of Houston Planning Commission
Attn: Martha L. Stein, Chair
P.O. Box 1562
Houston, Texas 77251-1562

Via E-mail: speakercomments.pc@houstontx.gov

Re: Hyde Park Civic Association ("HPCA") Objection to:
Reference Number 2020-0776; Hyde Park partial replat no. 9; re-platting of the west ½ of Lot 12 and the east ¾ of Lot 11, Block 20, "Hyde Park" as recorded in Volume 1, Page 117 of the Harris County Map Records and commonly known as **1407 Michigan St.**, Houston, Tx 77006

Honorable Members of the Planning Commission:

The above referenced replat request to be considered at the July 9, 2020 Planning Commission meeting should be denied, or alternatively tabled, and Applicant required to provide documentation of having obtained written approval thereof from the Hyde Park Civic Association Deed Restriction Committee.

The referenced property has been subject to deed restrictions for over 25 years as evidenced by document bearing Harris County Clerk's File ("HCCF") No. P530899, filed in the Official Real Property Records of Harris County. The restrictions are covenants which run with the land and specifically provide that "*No lot may be subdivided without advance written approval of the Deed Restrictions Committee.*" No such approval has been requested by Applicant or given by the Committee.

The Commission's own Policy requires that "*If the replat violates deed restrictions, the Planning Commission must disapprove the Plat.*" The Deed Restrictions were created by property owners of the various subdivisions within the Hyde Park Civic Association's boundaries pursuant to Texas Property Code Secs. 201.001 et seq. and have never been abrogated by any Court of Law.

The former owner of the particular property in question was duly notified on November 19, 1993, of the November 1, 1993 filing of the Petition To Create Restrictions and thereafter failed to file a statement electing to exercise its option to exclude their property under Property Code Section 201.009(b)(4) within one year of such notice. Accordingly, the Restrictions are covenants which run with the land/property proposed for re-platting and to all subsequent owners in the chain of title.

The undersigned Chair of the Deed Restrictions Committee of the Hyde Park Civic Association, on behalf of the Association, objects to the above referenced proposed re-platting and hereby gives Notice to the Honorable Members of this City of Houston Planning Commission that the Deed Restrictions filed of record under HCCF No. P530899 on November 1, 1993 have not been complied with by the Applicant, according to the express restrictions recited therein, and the law, and respectfully requests the Application be denied.

Respectfully submitted,

/s/ Michael H. McKann

Michael H. McKann, Chair
Deed Restrictions Committee
Hyde Park Civic Association
Email: deedrestrictions@hydeparkhouston.org

Houston Planning Commission

Ref. No. 2020-0776

Page 2

cc's: Members of the Houston Planning Commission: E-mail: Speakercomments.pc@houstontx.gov
 Hon. M. Sonny Garza, Vice Chair
 Hon. David Abraham, PhD
 Hon. Susan Alleman
 Hon. Bill Baldwin
 Hon. Antoine Bryant
 Hon. Lisa Clark
 Hon. Rodney Heisch
 Hon. Randall Jones
 Hon. Lydia Mares
 Hon. Kevin Robins
 Hon. Paul R. Nelson
 Hon. Linda Porras-Pirtle
 Hon. Ileana Rodriguez
 Hon. Ian Rosenberg
 Hon. Megan R. Sigler
 Hon. Zafar Tahir
 Hon. Meera D. Victor
 Hon. Honorable KP George
 Honorable Lina Hidalgo
 Commissioner James Noack

 Alternate Members:
 Hon. J. Stacy Slawinski, P.E.
 Hon. Loyd Smith, P.E.
 Hon. Scott Cain

 Ex-Officio Members:
 Carol Lewis, Ph.D.
 Carol Haddock
 Yuhayna H. Mahmud

 Margaret Wallace Brown, Acting Director
 Planning and Development Department: E-mail: planningdepartment@houstontx.gov

cc: Ronald Lewis, City Attorney E-mail: ronald.lewis@houstontx.gov
 City of Houston Legal Department
 P.O. Box 368
 Houston, TX 77001-0368

cc: Council Member Sallie Alcorn E-mail: atlarge5@houstontx.gov

cc: Council Member Abbie Kamin E-mail: districtc@houstontx.gov

cc: Council Member Mike Knox E-mail: atlarge1@houstontx.gov

cc: Council Member Michael Kubosh E-mail: atlarge3@houstontx.gov

cc: Council Member Letitia Plummer E-mail: atlarge4@houstontx.gov

cc: Council Member David Robinson E-mail: atlarge2@houstontx.gov

cc: Nirja Aiyer, Director
City of Houston Legal Dept.,
Neighborhood Services (Deed Restrictions)

E-mail: nirja.aiyer@houstontx.gov

cc: Hyde Park Civic Association
Attn: Chris Delphin, President
Attn: Board of Directors

E-mail: president@hydeparkhouston.org

E-mail: board@hydeparkhouston.org



Abbie Kamin

Houston City Council Member, District C

June 21, 2020

Houston Planning Commission
P.O. Box 1562
Houston, Texas 77251-1562

RE: Items 93 (Braeburn Terrace Sec 1 partial replat), 96 (Hyde Park partial replat no 9), and 97 (Hyde Park partial replat no 10)

Dear Members of the Planning Commission:

I write to you regarding several replats on the agenda this week, which the City's Legal Department has determined do not violate any applicable deed restrictions. I understand that, per state law, as long as the proposed replat meets the requirements of Chapter 42 and does not include a variance, the Planning Commission is obligated to approve the replat. However, as a district council member representing the communities impacted by this, I am extremely disappointed and fully understand the frustration of these neighborhoods, who worked hard to put these deed restrictions in place to protect the character and quality of life of their communities. They are now having to unfairly confront violations of both the intent and the spirit of their deed restrictions.

Since Houston lacks zoning, deed restrictions are one of the only tools available to maintain and preserve neighborhoods. The process of updating or renewing them is burdensome, to the point of being practically impossible in some neighborhoods. While there may be nothing specifically that this Commission can do to change that, as a council member I must represent the neighborhoods in advocating for the Commission to consider and uphold the intent of their deed restrictions. We, as a City, must do better in helping neighborhoods identify these problems proactively instead of late in the process, like with these replats. We must also pursue a conversation with State Representatives to discuss what changes may be necessary under state law to make the deed restriction process work better for neighborhoods.

Please know that I have great respect for the Planning Commission and the difficult, complex work that you do for the City. I also understand the constraints that the Commission operates under, including the fact that many of these legal constraints are at the state level, not the City's. But I must also emphasize that this process is clearly not working for neighborhoods, and surely no one knows that better than the members of the Planning Commission. I welcome conversations with any Commissioner who wishes to pursue this issue about how to expand options and improve the process for neighborhood protections in the City of Houston.

Sincerely,

Abbie Kamin



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

June 15, 2020

Dear Property Owner:

Reference Number: 2020-0776; Hyde Park partial replat no 9; replatting of the west ½ of Lot 12 and the east ¾ of Lot 11, Block 20, “**Hyde Park**” as recorded in Volume 1, Page 117 of the Harris County Map Records.

The property is located at 1407 Michigan Street.

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

The applicant, Mary Villareal, with The Interfield Group, on behalf of Sandcastle Homes, Inc., can be contacted at 713-780-0909.

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: 94

Planning and Development Department

Meeting Date: 06/08/2020

Subdivision Name: Hyde Park partial replat no 10 (DEF 2)

Applicant: Pearl Developments



C – Public Hearings

Site Location

Houston Planning Commission

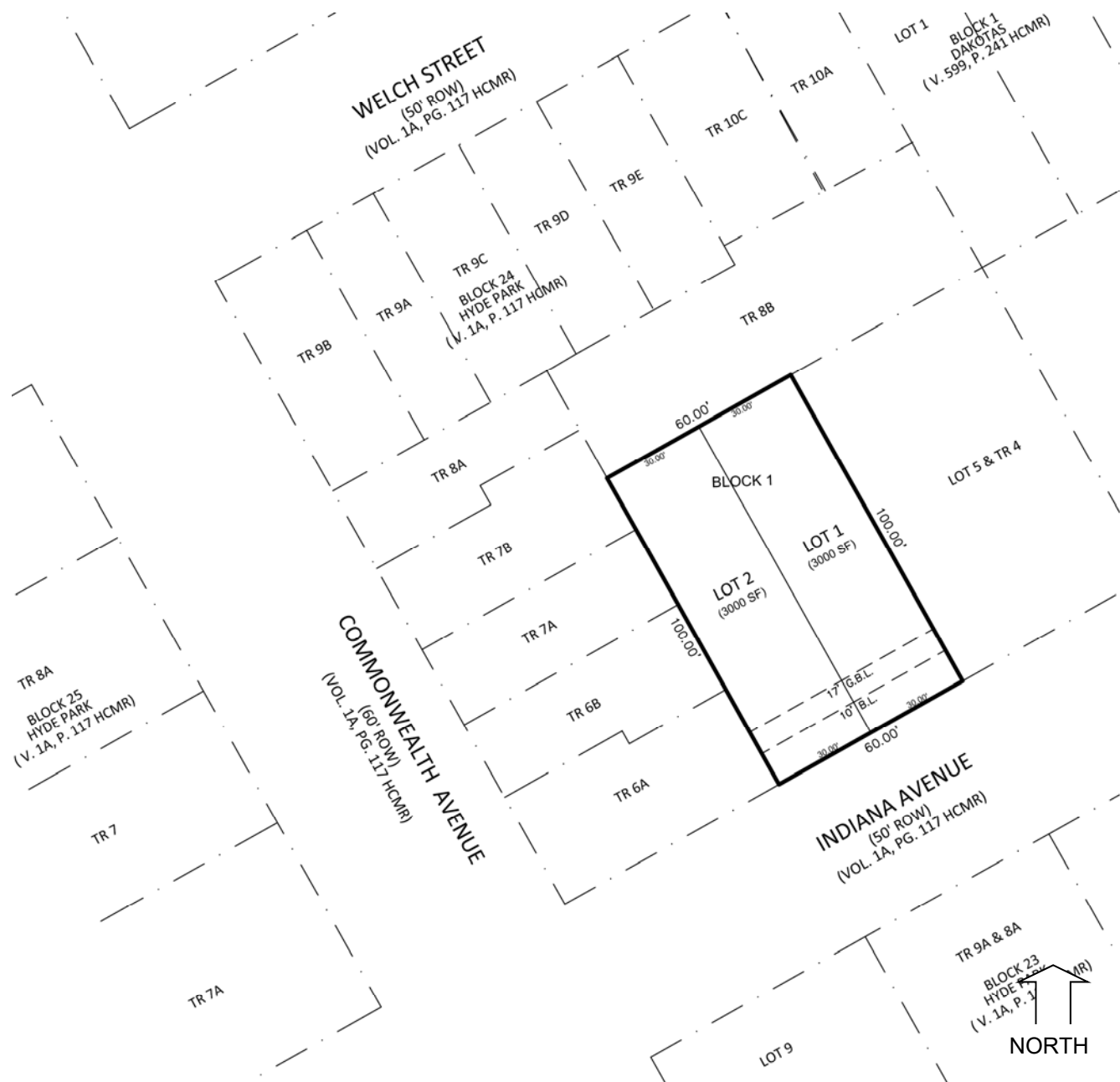
ITEM: 94

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Hyde Park partial replat no 10 (DEF 2)

Applicant: Pearl Developments



C – Public Hearings

Subdivision

Houston Planning Commission

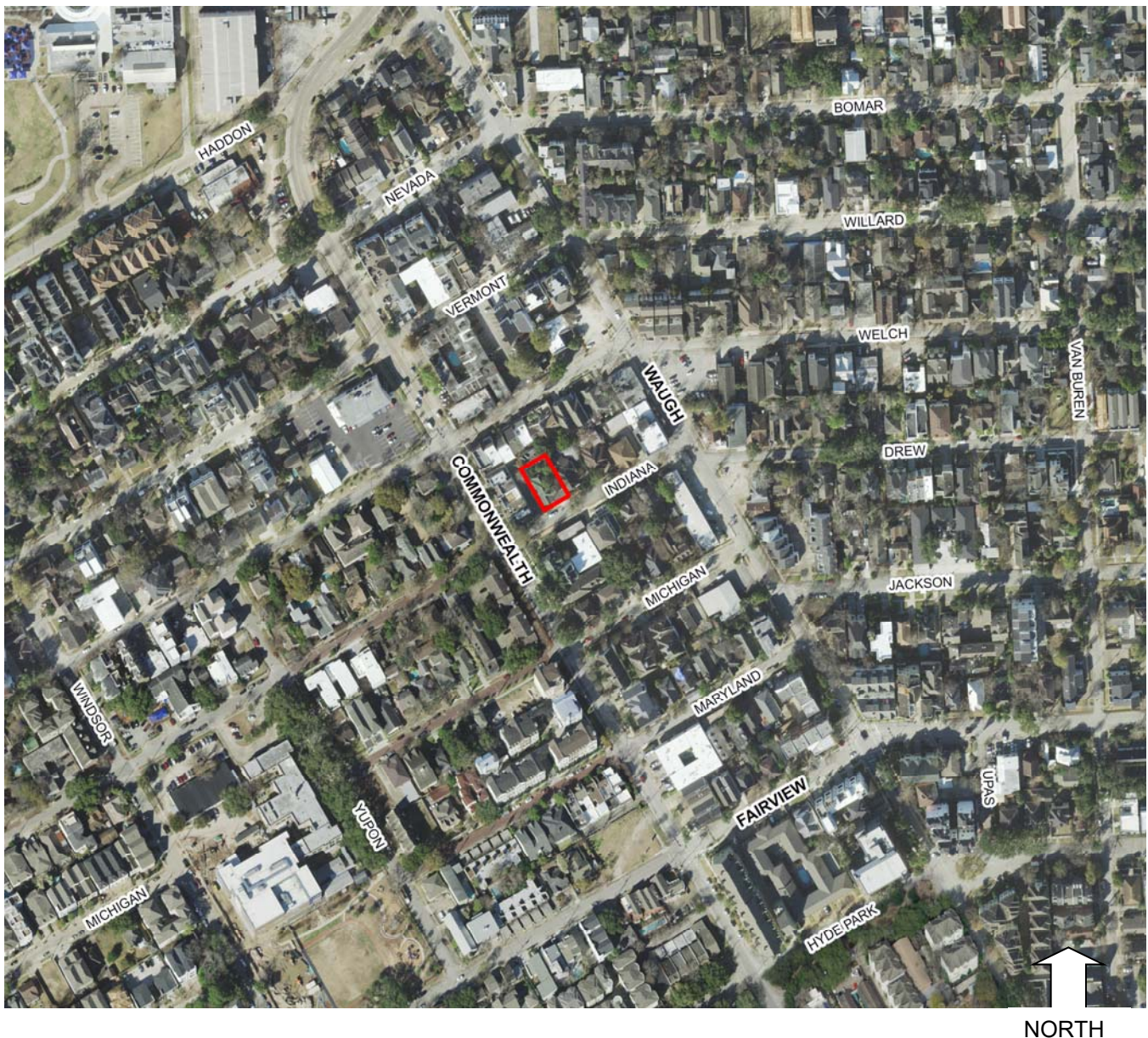
ITEM: 94

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Hyde Park partial replat no 10 (DEF 2)

Applicant: Pearl Developments



C – Public Hearings

Aerial



Abbie Kamin

Houston City Council Member, District C

June 21, 2020

Houston Planning Commission
P.O. Box 1562
Houston, Texas 77251-1562

RE: Items 93 (Braeburn Terrace Sec 1 partial replat), 96 (Hyde Park partial replat no 9), and 97 (Hyde Park partial replat no 10)

Dear Members of the Planning Commission:

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Sincerely,

Abbie Kamin



July 4, 2020

City of Houston Planning Commission
Attn: Martha L. Stein, Chair
P.O. Box 1562
Houston, Texas 77251-1562

Via E-mail: speakercomments.pc@houstontx.gov

Re: Hyde Park Civic Association ("HPCA") Objection to:
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Honorable Members of the Planning Commission:

The above referenced replat request to be considered at the July 9, 2020 Planning Commission meeting should be denied, or alternatively tabled, and Applicant required to provide documentation of having obtained written approval thereof from the Hyde Park Civic Association Deed Restriction Committee.

The referenced property has been subject to deed restrictions for over 25 years as evidenced by document bearing Harris County Clerk's File ("HCCF") No. P530899, filed in the Official Real Property Records of Harris County. The restrictions are covenants which run with the land and specifically provide that "*No lot may be subdivided without advance written approval of the Deed Restrictions Committee.*" No such approval has been requested by Applicant or given by the Committee.

The Commission's own Policy requires that "*If the replat violates deed restrictions, the Planning Commission must disapprove the Plat.*" The Deed Restrictions were created by property owners of the various subdivisions within the Hyde Park Civic Association's boundaries pursuant to Texas Property Code Secs. 201.001 et seq. and have never been abrogated by any Court of Law.

The former owner of the particular property in question was duly notified on November 19, 1993, of the November 1, 1993 filing of the Petition To Create Restrictions and thereafter failed to file a statement electing to exercise its option to exclude their property under Property Code Section 201.009(b)(4) within one year of such notice. Accordingly, the Restrictions are covenants which run with the land/property proposed for re-platting and to all subsequent owners in the chain of title.

The undersigned Chair of the Deed Restrictions Committee of the Hyde Park Civic Association, on behalf of the Association, objects to the above referenced proposed re-platting and hereby gives Notice to the Honorable Members of this City of Houston Planning Commission that the Deed Restrictions filed of record under HCCF No. P530899 on November 1, 1993 have not been complied with by the Applicant, according to the express restrictions recited therein, and the law, and respectfully requests the Application be denied.

Respectfully submitted,

/s/ Michael H. McKann

Michael H. McKann, Chair
Deed Restrictions Committee
Hyde Park Civic Association
Email: deedrestrictions@hydeparkhouston.org

Houston Planning Commission

Ref. No. 2020-0776

Page 2

cc's: Members of the Houston Planning Commission: E-mail: Speakercomments.pc@houstontx.gov
Hon. M. Sonny Garza, Vice Chair
Hon. David Abraham, PhD
Hon. Susan Alleman
Hon. Bill Baldwin
Hon. Antoine Bryant
Hon. Lisa Clark
Hon. Rodney Heisch
Hon. Randall Jones
Hon. Lydia Mares
Hon. Kevin Robins
Hon. Paul R. Nelson
Hon. Linda Porras-Pirtle
Hon. Ileana Rodriguez
Hon. Ian Rosenberg
Hon. Megan R. Sigler
Hon. Zafar Tahir
Hon. Meera D. Victor
Hon. Honorable KP George
Honorable Lina Hidalgo
Commissioner James Noack

Alternate Members:
Hon. J. Stacy Slawinski, P.E.
Hon. Loyd Smith, P.E.
Hon. Scott Cain

Ex-Officio Members:
Carol Lewis, Ph.D.
Carol Haddock
Yuhayna H. Mahmud

Margaret Wallace Brown, Acting Director
Planning and Development Department: E-mail: planningdepartment@houstontx.gov

cc: Ronald Lewis, City Attorney E-mail: ronald.lewis@houstontx.gov
City of Houston Legal Department
P.O. Box 368
Houston, TX 77001-0368

cc: Council Member Sallie Alcorn E-mail: atlarge5@houstontx.gov

cc: Council Member Abbie Kamin E-mail: districtc@houstontx.gov

cc: Council Member Mike Knox E-mail: atlarge1@houstontx.gov

cc: Council Member Michael Kubosh E-mail: atlarge3@houstontx.gov

cc: Council Member Letitia Plummer E-mail: atlarge4@houstontx.gov

cc: Council Member David Robinson E-mail: atlarge2@houstontx.gov

Houston Planning Commission

Ref. No. 2020-0776

Page 3

cc: Nirja Aiyer, Director
City of Houston Legal Dept.,
Neighborhood Services (Deed Restrictions)

E-mail: nirja.aiyer@houstontx.gov

cc: Hyde Park Civic Association
Attn: Chris Delphin, President
Attn: Board of Directors

E-mail: president@hydeparkhouston.org

E-mail: board@hydeparkhouston.org



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

May 15, 2020

Dear Property Owner:

Reference Number: 2020-0790; "Hyde Park partial replat no 10"; partial replatting of " Hyde Park partial." This proposal includes the replatting of a portion of E 60' of Lots 6 & 7, Block 24, as recorded at Film Code No. Vol. 1A, Pg. 117 of the Harris County Map Records.

The property is located north of Westheimer Road and west of Montrose Blvd. The purpose of the replat is to create two lots. The applicant, Dave Strickland, with replats.com, can be contacted at 281-705-4297.

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, June 25, 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

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

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.

For additional information regarding this project, please call Dave Strickland at 281-705-4297. You may also contact staff with the Planning and Development Department regarding this notice via email at 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

- **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

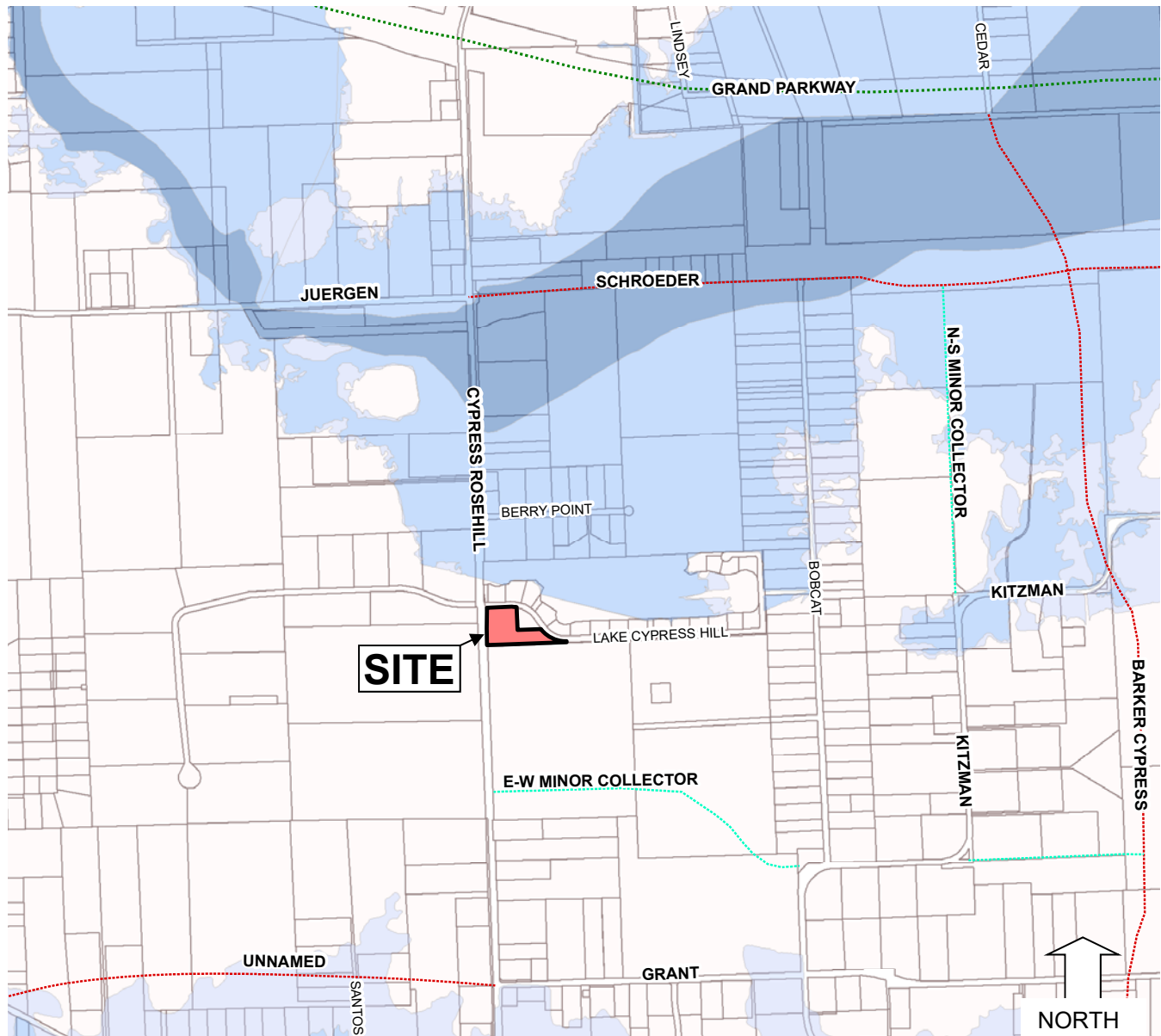
ITEM: 95

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Lakes at Cypress Hill partial replat no 1

Applicant: Landtech, Inc



C – Public Hearings

Site Location

Houston Planning Commission

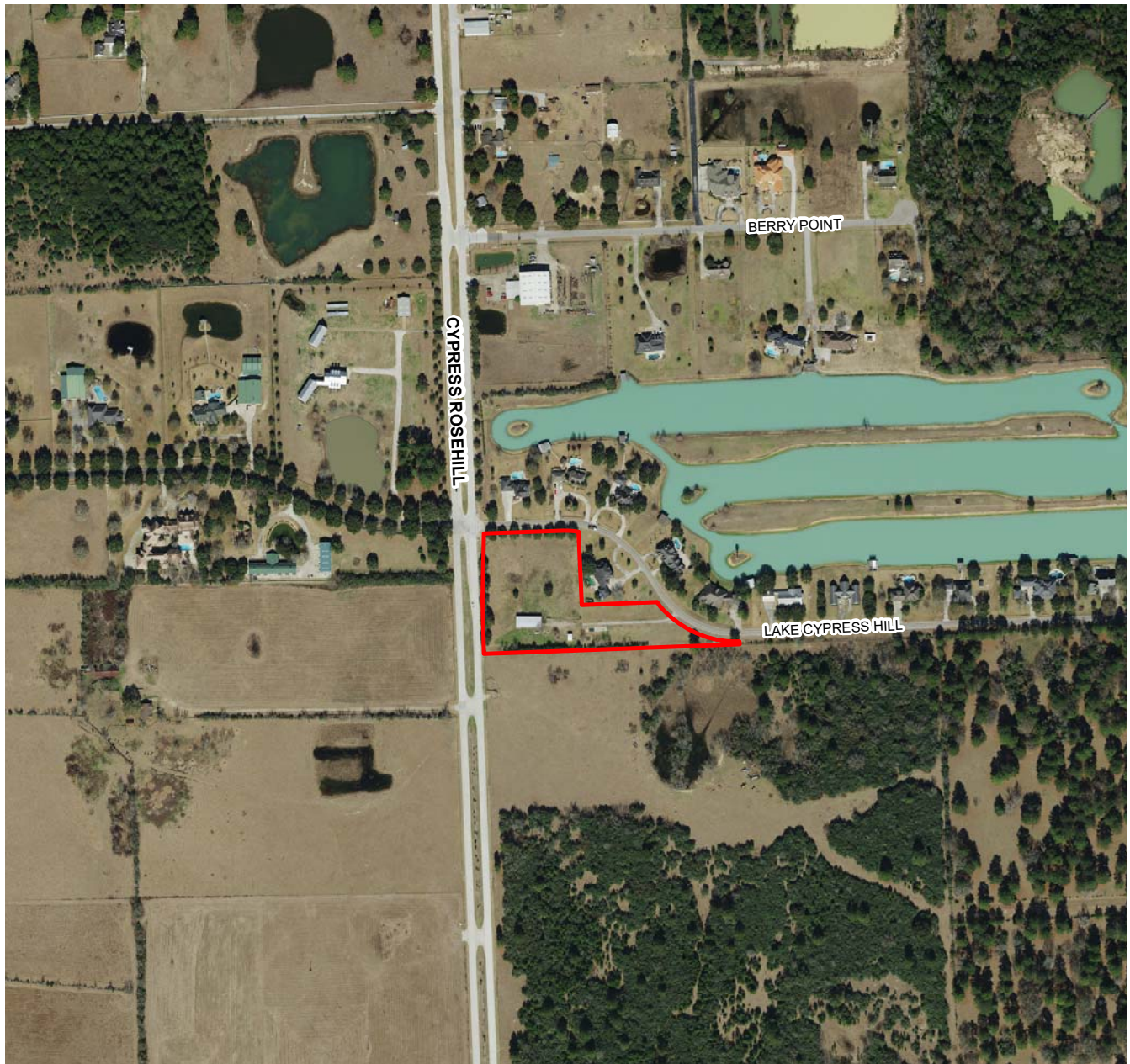
ITEM: 95

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Lakes at Cypress Hill partial replat no 1

Applicant: Landtech, 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

July 13, 2020

Dear Property Owner:

Reference Number: 2020-1047; "Lakes at Cypress Hill partial replat no 1"; partial replatting of Lakes at Cypress Hill. This proposal includes the replatting of Unrestricted Reserve F, as recorded in Film Code No. 350084 of the Harris County Map Records.

The property is located at the southeast corner of Lake Cypress Hill Drive and Cypress Rosehill Drive. The purpose of the replat is to create three (3) single-family residential lots. The applicant, Frank Petrosky, with Landtech, Inc., can be contacted at 713-861-7068.

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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Thursday, August 6, 2020 at 2:30 PM

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Houston Planning Commission

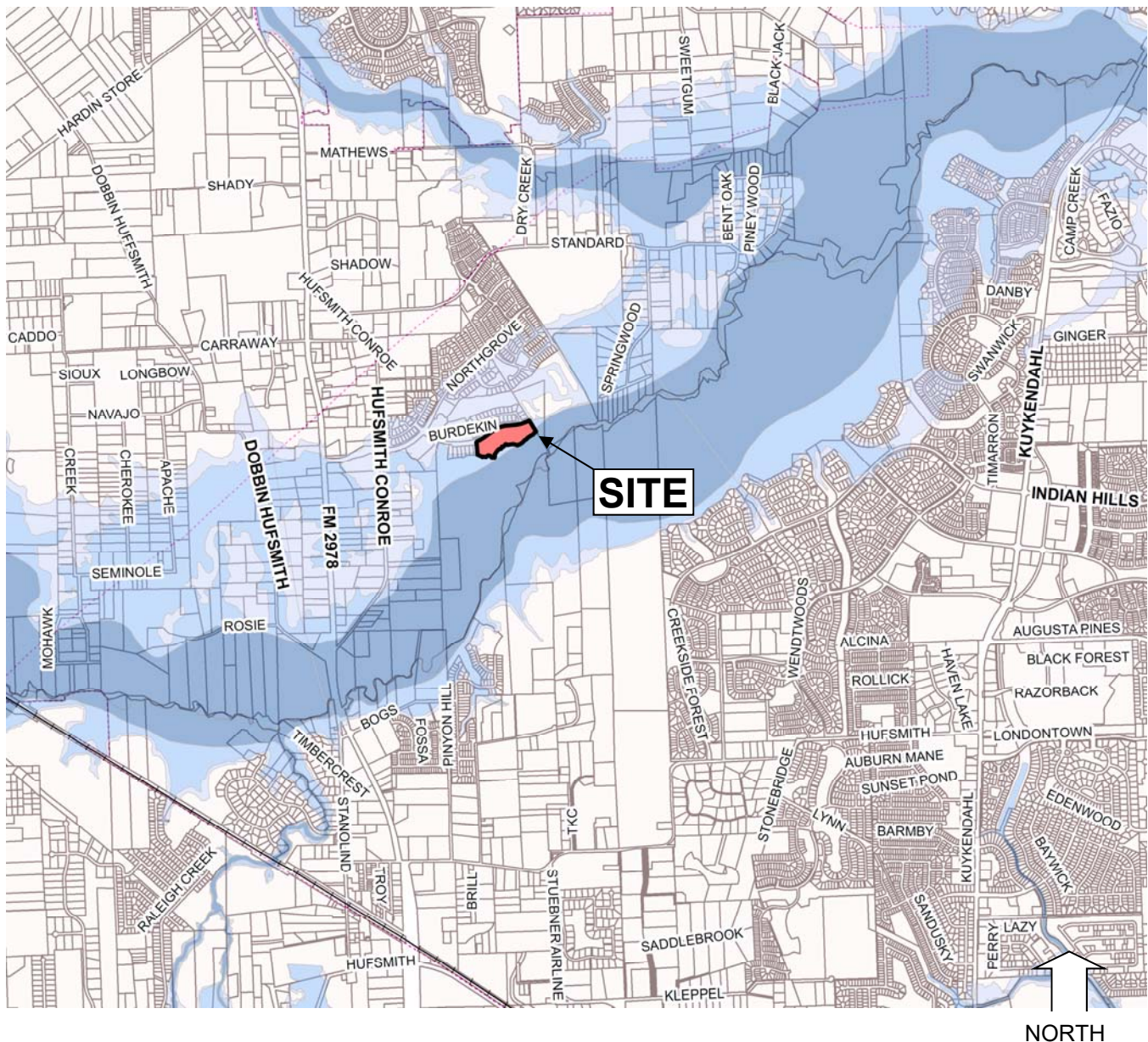
ITEM: 96

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Northgrove Sec 5 partial replat no 2

Applicant: Costello, Inc.



C – Public Hearings

Site Location

Houston Planning Commission

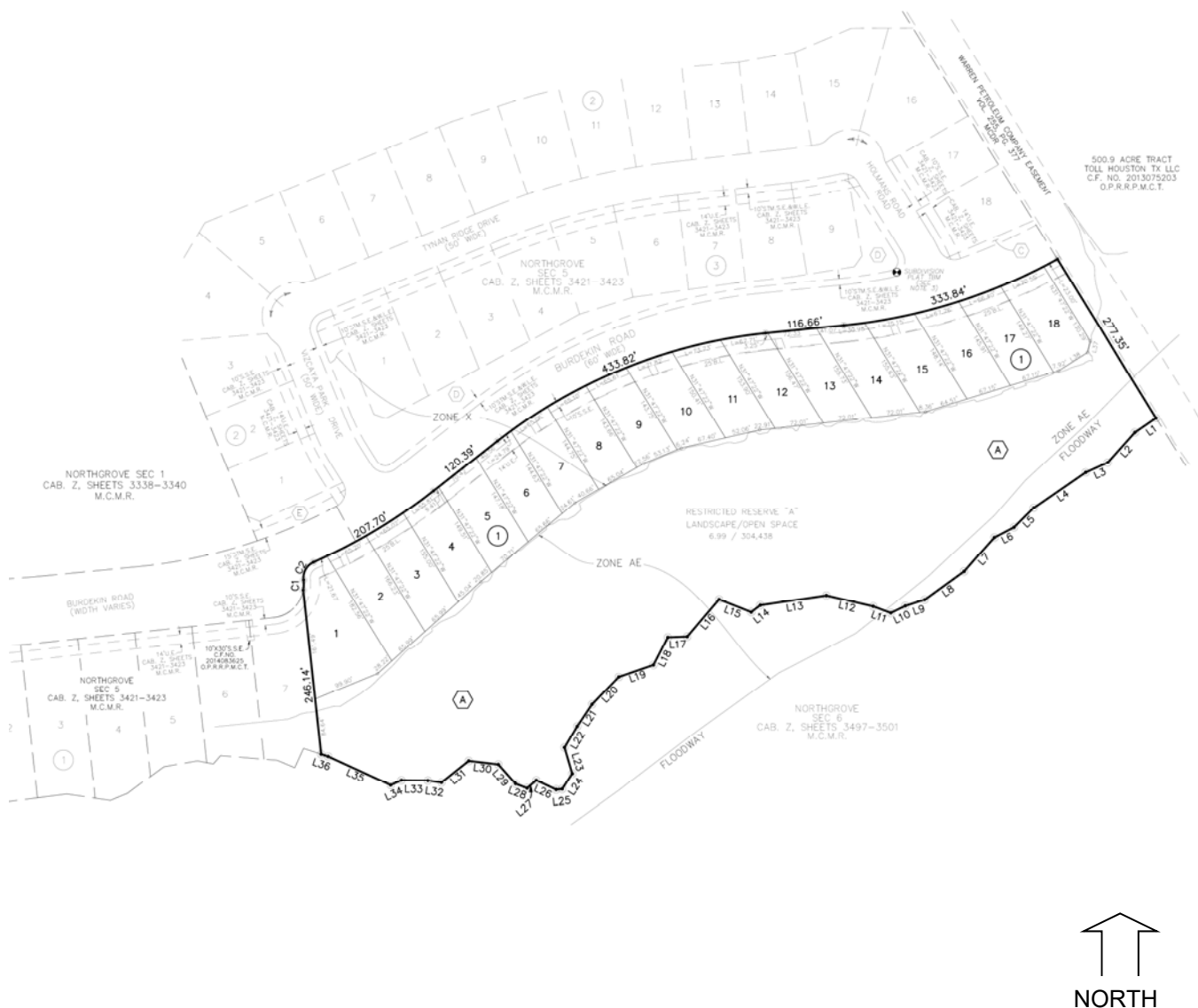
ITEM: 96

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Northgrove Sec 5 partial replat no 2

Applicant: Costello, Inc.



C – Public Hearings

Subdivision

Houston Planning Commission

ITEM: 96

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Northgrove Sec 5 partial replat no 2

Applicant: Costello, 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

July 13, 2020

Dear Property Owner:

Reference Number: 2020-1039; "Northgrove Sec 5 partial replat no 2"; partial replatting of Northgrove Sec 5. This proposal includes the replatting of Lots 1 through 20, Block 1, as recorded in Cabinet Z, Sheets 6280-6281, of the Montgomery County Map Records.

The property is located at south of Burdekin Road, east of Northgrove Parkway. The purpose of the replat is to create eighteen (18) single-family residential lots and one (1) reserve. The applicant, Thai Lam, with Costello, Inc., can be contacted at 713-783-7788.

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

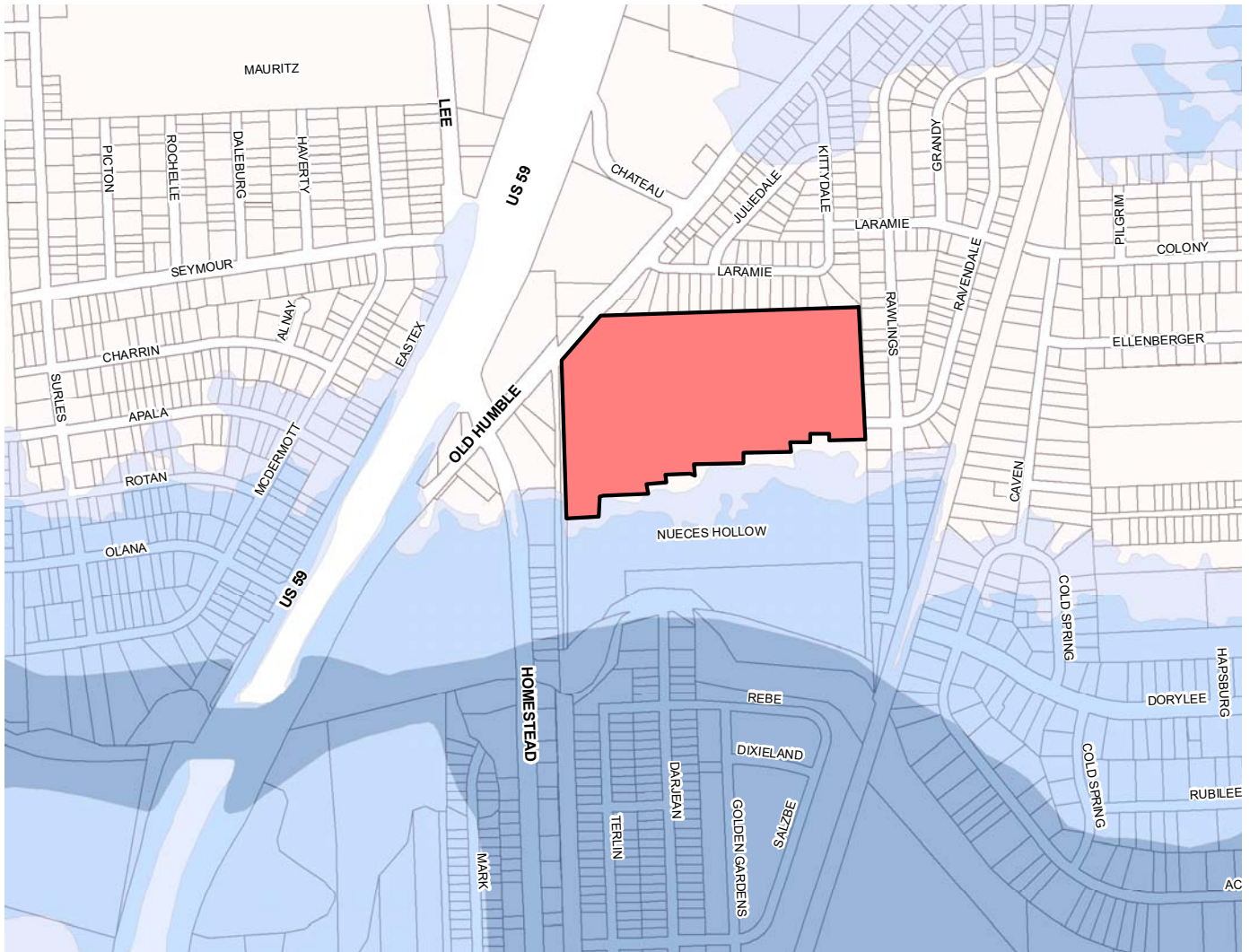
ITEM: 97

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Nueces Park Place Sec 1 replat no 1

Applicant: Bury



C – Public Hearings with Variance Site Location

Houston Planning Commission

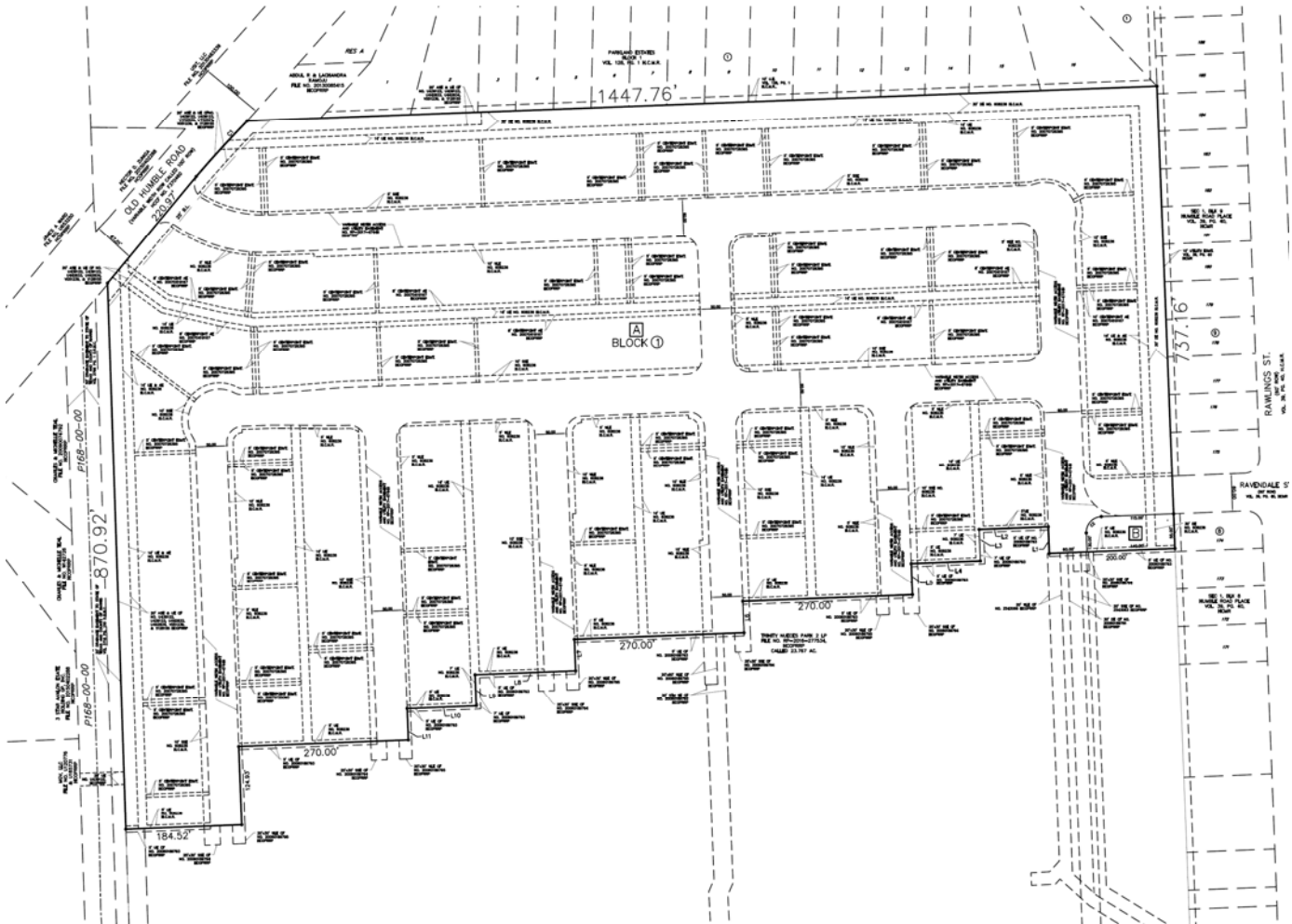
ITEM: 97

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Nueces Park Place Sec 1 replat no 1

Applicant: Bury



C – Public Hearings with Variance

Subdivision

Houston Planning Commission

ITEM: 97

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Nueces Park Place Sec 1 replat no 1

Applicant: Bury



C – Public Hearings with Variance

Aerial



Application Number: 2020-1092

Plat Name: Nueces Park Place Sec 1 replat no 1

Applicant: Bury

Date Submitted: 06/29/2020

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:

The specific requirement and the extent to which the variance is being sought is Sec. 42-134. - Street Extension, a request to not extend Ravendale Road or terminate it with a vehicular turnaround.

Chapter 42 Section: 42-134

Chapter 42 Reference:

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

Statement of Facts

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

This condition is not applicable.

(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;

Currently, Ravendale Road exists on subject property and stubs at the property line requiring an extension for a distance of one lot through an existing mobile home park to Rawlings Street. Harris County does not plan to extend Ravendale Road from the subject property line to Rawlings Street and desires that there not be a connection point on the subject property plat as it would create an expectation for Harris County to construct Ravendale Road. Additionally, the connection point itself would become a potential cut-through area location for vehicles and in turn become a traffic nuisance in the adjacent single-family neighborhood. And a turnaround at the connection point may become a dumping ground and neighborhood nuisance for those in the area

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

Currently, Ravendale Road does exist and stubs at the property line of the subject property. The applicant is willing to keep this stub, however, Harris County wants this stub to be removed because it requires the County to construct an extension for a distance of one lot through an existing mobile home park to Rawlings Street, which the County is not wishing to construct.

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

The adjacent residential property has sufficient traffic circulation and Ravendale Road is currently unimproved on the adjacent property.

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

The turnaround or street extension at this location will not enhance or hinder traffic, accessibility, or fire protection to the applicant's property or surrounding property. The subject property will be developed as existing private access mobile home park located within Nueces Park Place Sec 1 and will have access from Old Humble Road.

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

Ravendale street is currently stubbed at the subject property line and is being proposed to not extend to the adjacent property at the request of Harris County. Dedicating ROW for a turnaround would not affect the economic feasibility of developing the property for the applicant however a turnaround at this location would not serve to enhance circulation on site but will create a nuisance by becoming a dumping ground due to its location.



Application Number: 2020-1092

Plat Name: Nueces Park Place Sec 1 replat no 1

Applicant: Bury

Date Submitted: 06/29/2020

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

Specific Variance is being sought and extent of variance:

The specific requirement and the extent to which the variance is being sought is Sec. 42-128. – Intersections of local streets, a request to exceed maximum 1,400 feet intersection spacing requirements between two local streets by not creating new street

Chapter 42 Section: 42-128

Chapter 42 Reference:

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. (b) A street that intersects with a local street will satisfy the intersection length requirement of item (a)(1) of this section if the street: (1) Is a public street that intersects with two different public streets; and (2) Is not a permanent access easement. (c) Intersections along local streets shall be spaced a minimum of 75 feet apart.

Statement of Facts

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

This condition is not applicable

(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;

Applicant's property location is not feasible for providing or extending a local street from the adjacent property to the north, or the east as it does not have a platted street stubbed out to the subject property, or from the south due to areas dedicated for drainage and flood control in Green's Bayou, H.C.F.C.D. parcels, and Pine Village MUD detention pond, or from the west due to a 50' drainage easement and lack of a platted street stubbed out to the drainage ditch from the properties to the west of the drainage easement. The streets were abandoned within Nueces Park Place Sec 1 so the property could be developed as a private access mobile home park.

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

Property is a replat of Nueces Park Place Sec 1 with unique characteristics with streets abandoned by Harris County. Ravendale Road is a county road that is unimproved on the adjacent property to the east, there is no platted street being stubbed out to this property from the north, there is a drainage easement to the west, and to the south are areas dedicated for drainage and flood control in Green's Bayou, H.C.F.C.D. parcels, and Pine Village MUD detention pond. It is these constraints outside the control of the applicant that require this variance.

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

Current traffic flow will be maintained and the property's location and characteristics would not be altered. A proposed second entrance to the existing mobile home park site will alleviate potential congestion from residents on Old Humble Road.

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

The additional connection to a local street at every 1,400 feet on this property would not enhance or hinder traffic, accessibility, or fire protection to the applicant's property or surrounding property. Especially as the addition of another entrance in Nueces Park Place Sec 1 will create a loop street system within the overall combined sites and provide better fire access.

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

Variance request is due the impracticality of the requirement on the property because of the location and existing conditions and not the economic impact it would have on the development.



Application Number: 2020-1092

Plat Name: Nueces Park Place Sec 1 replat no 1

Applicant: Bury

Date Submitted: 06/29/2020

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 access to a Restricted Reserve – Lift Station by a recorded access easement (50' to 60' wide)

Chapter 42 Section: 42-190C

Chapter 42 Reference:

Each reserve shall meet the following requirements for minimum size, the type of width of street or shared driveway on which it may be located, and the minimum frontage, as applicable to the type of reserve: Restricted Reserve - Lift Station: Minimum Size required by the design manual - public street or type 1 permanent access easement - 50 ft – 20 ft

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

n/a

(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 restricted reserve lies within Nueces Park Place Sec 1 Replat No 1 and is accessible to Old Humble Road, a public right-of-way, via a 50 to 60 foot wide Access and Utility Easement Agreement recorded in Film Code Number RP-2017-47449 of the Harris County Official Public Record of Real Property that lies over the location of the roadways abandoned within Nueces Park Place Sec 1. The platted roads in Nueces Park Place Sec 1 were abandoned by Harris County and recorded in Film Code Number RP-2016-269714 of the Official Records of Real Property of Harris County. It is impractical to re-record the roadways as public right-of-way within a mobile home park. The access easement provides more than 20 feet frontage along the west and north side of the restricted reserve.

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

Currently, the existing lift station is accessed through roadways that have been abandoned by Harris County within a mobile home park. A 50 to 60 foot wide access and utility easement has been recorded and provides access to the Restricted Reserve and it provides more than 20 feet frontage along the west and north side of the restricted reserve.

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

This Restricted Reserve property does not have sufficient right-of-way frontage to provide adequate access to a public right-of-way or a Type 1 permanent access easement. This variance will allow the subject property to be developed with access through an existing 50 to 60 foot wide access and utility easement through an existing private mobile home park therefore providing adequate access to the lift station. The access easement provides more than 20 feet frontage along the west and north side of the Restricted Reserve.

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

The Restricted Reserve will connect to an existing access and utility easement, creating access to the reserve and will not have any negative affects public health, safety, or welfare.

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

The existing lift station was accessed by right-of-ways that have been abandoned by Harris County. Dedicating right-of-way for access to the Restricted Reserve would not affect the economic feasibility of developing the property for the applicant however public right-of-way at this location would not serve to enhance access on site but will create a nuisance by becoming a dumping ground due to its location.



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

July 14, 2020

Dear Property Owner:

Reference Number: 2020-1092, Nueces Park Place Sec 1 replat no 1; replatting all of Nueces Park Place Sec 1, as recorded at Film Code No. 608236 of the Harris County Map Records.

The property is located at 6111 Nueces Park Road, Humble, TX 77396 located on the east along Old Humble Road between Homestead Road and Rawlings Street.

The purpose of the replat is to create 1 unrestricted reserve, 1 lift station reserve and abandon streets.

The applicant, Freeland Glen, with Bury, on behalf of Trinity Nueces Park LP, can be contacted at 713-587-5795

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. A variance is being requested with this application. The variance(s) request are attached.

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, August 6, 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

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

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.

For additional information, you may also contact staff with the Planning and Development Department regarding this notice via email at 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: 98

Planning and Development Department

Meeting Date: 07/23/2020

Subdivision Name: Stogner partial replat no 2

Applicant: Total Surveyors, Inc.



C – Public Hearings with Variance Site Location

Houston Planning Commission

ITEM: 98

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Stogner partial replat no 2 (DEF 1)

Applicant: Total Surveyors, Inc.



C – Public Hearings with Variance

Aerial



PLANNING & DEVELOPMENT DEPARTMENT

APPLICANT'S Variance Request Form

Application Number: 2020-0922

Plat Name: Stogner partial replat no 2

Applicant: Total Surveyors, Inc.

Date Submitted: 06/01/2020

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 replat to create single family lots, from a reserve, restricted to "Church or related uses".

Chapter 42 Section: 42-193 c

Chapter 42 Reference:

(c) Property within a subdivision plat that contains lots restricted to single-family residential or residential use may be replatted to amend a plat restriction only as provided below: (1) A plat restriction limiting the use of property to residential or single-family residential use may be amended to permit the use of that property only for landscape, park, recreation, drainage, or open space uses.

Statement of Facts

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

This tract of land is located along the west side Wheatley Street, north of Mansfield Street, in the City of Houston. Wheatley Street is Classified as a Major Thoroughfare. The area surrounding this site is predominately single-family residences, of varying lots sizes, with a few commercial developments mixed in. This tract of land was unplatted until February of 2004, when Stogner Plat was recorded. The Stogner Plat created 3 large single family lots, with single family restrictions. In August of 2005, 2 of the single family lots were replatted into a Restricted Reserve, restricted to "Church or Related uses". Nothing was ever constructed on this site and this site remains undeveloped. The intent of the new development is to create 24 single family lots on a 28' P.A.E., with dedicated residential parking. This proposed replat will include all of the land within the Stogner Subdivision Partial Replat No 1, which created the church Restriction. The original plat, Stogner Plat, was restricted to single family, and the intent of this replat will go back to single family. If we were replatting the original 2 single family lots of the Stogner Plat, a variance would not be required. In this case, the proposed replat does include all of the property of the replat which created the "Nonresidential use". The goal of this project is to construct a visually pleasing and well-built development, but at the same time creating an enhanced pedestrian environment along Wheatley Street. We feel that this development combined with the enhancements to the walkable areas along Wheatley Street will benefit the City and serve as an example to future developments along Wheatley Street.

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

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

The pattern of development has been long established many years prior to this developer owning the site. This variance request is based on the fact that the majority of the development surrounding this site is single family and the desire to be consistent with the nearby developments, as wells as to improve the pedestrian realm to create a pleasing development.

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

The intent and purposes of Chapter 42 include the establishment of developments appropriate to an area and situation, recognizing the differences in design framework of various areas, encouraging the efficiency of land development patterns. The proposed pedestrian improvements, landscaping, sidewalks and fencing will help preserve the intent of Chapter 42.

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

The variance will not be injurious to public health, safety or welfare. This site will observe all building lines and other development requirement of Chapter 42.

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

The justification of this variance is to obtain approval through the planning commission of a desirable residential project consistent with the character and circumstances of its surroundings. The existing conditions surrounding the property are the justification of the variance.



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
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www.houstontx.gov

July 1, 2020

Dear Property Owner:

Reference Number: 2020-0922, Stogner Subdivision partial replat no 2; replatting of all restricted Reserve A, block 1 of Stogner Subdivision partial replat no 1, as recorded at Film Code No. 590065 of the Harris County Map Records.

The property is located at east along Hiram Clarke Road south of West Airport Boulevard.

The purpose of the partial replat is to create 24 single family lots, 2 parking reserves and 2 PAEs (private streets). The applicant, Kevin Kolb, with Total Surveyors Inc., on behalf of Stoneworks, 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, July 23, 2020 at 2:30 PM

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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

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- **Subdivision replat.** Is simply a subdivision plat that further subdivides an existing subdivision plat. Typically, a replat will make changes to the layout of lots, reserves, building setback lines and easements.
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- **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

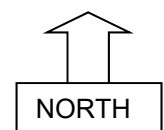
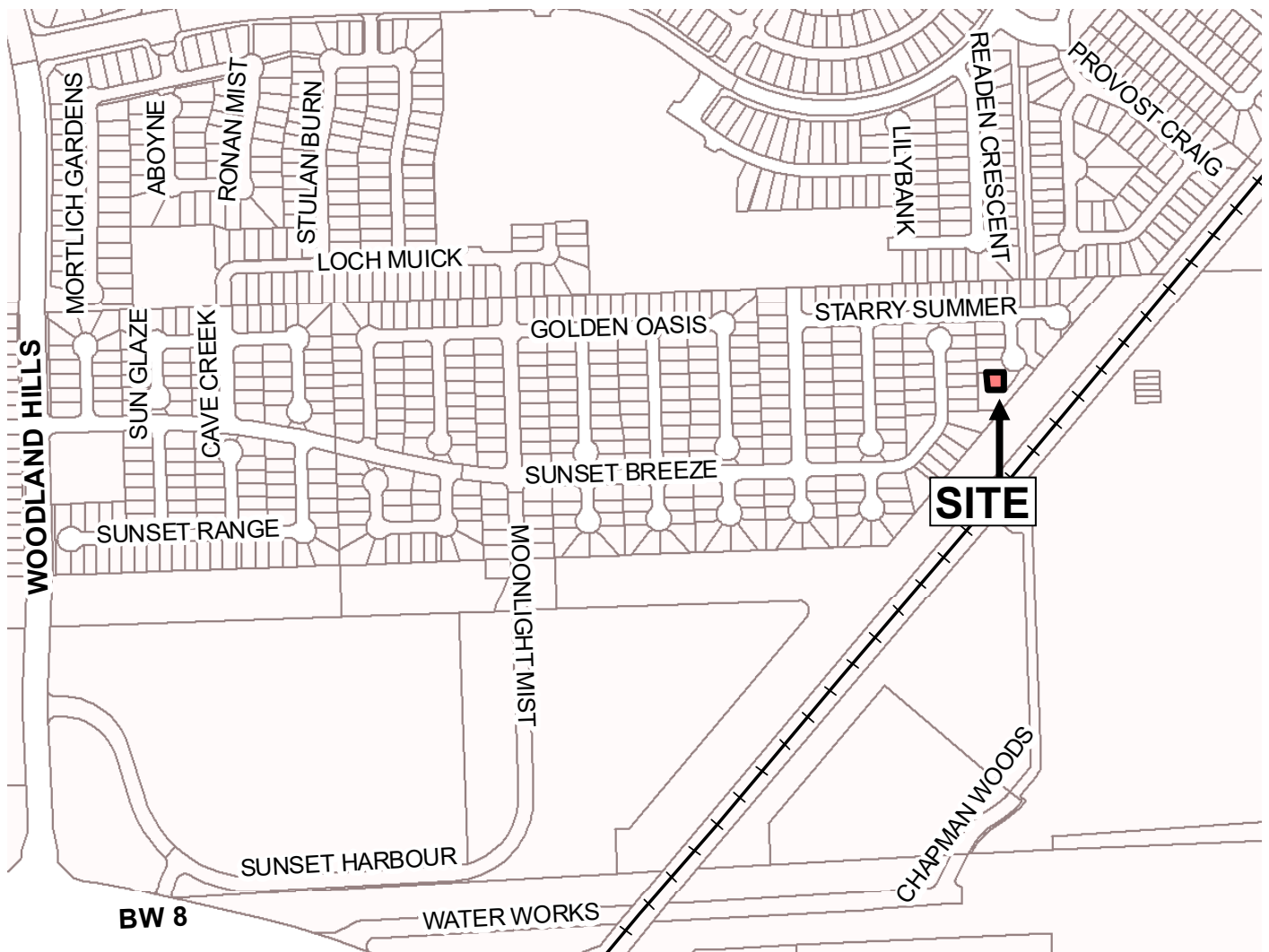
ITEM: 99

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: American Tower Victor

Applicant: American Tower



D – Variances

Site Location

Houston Planning Commission

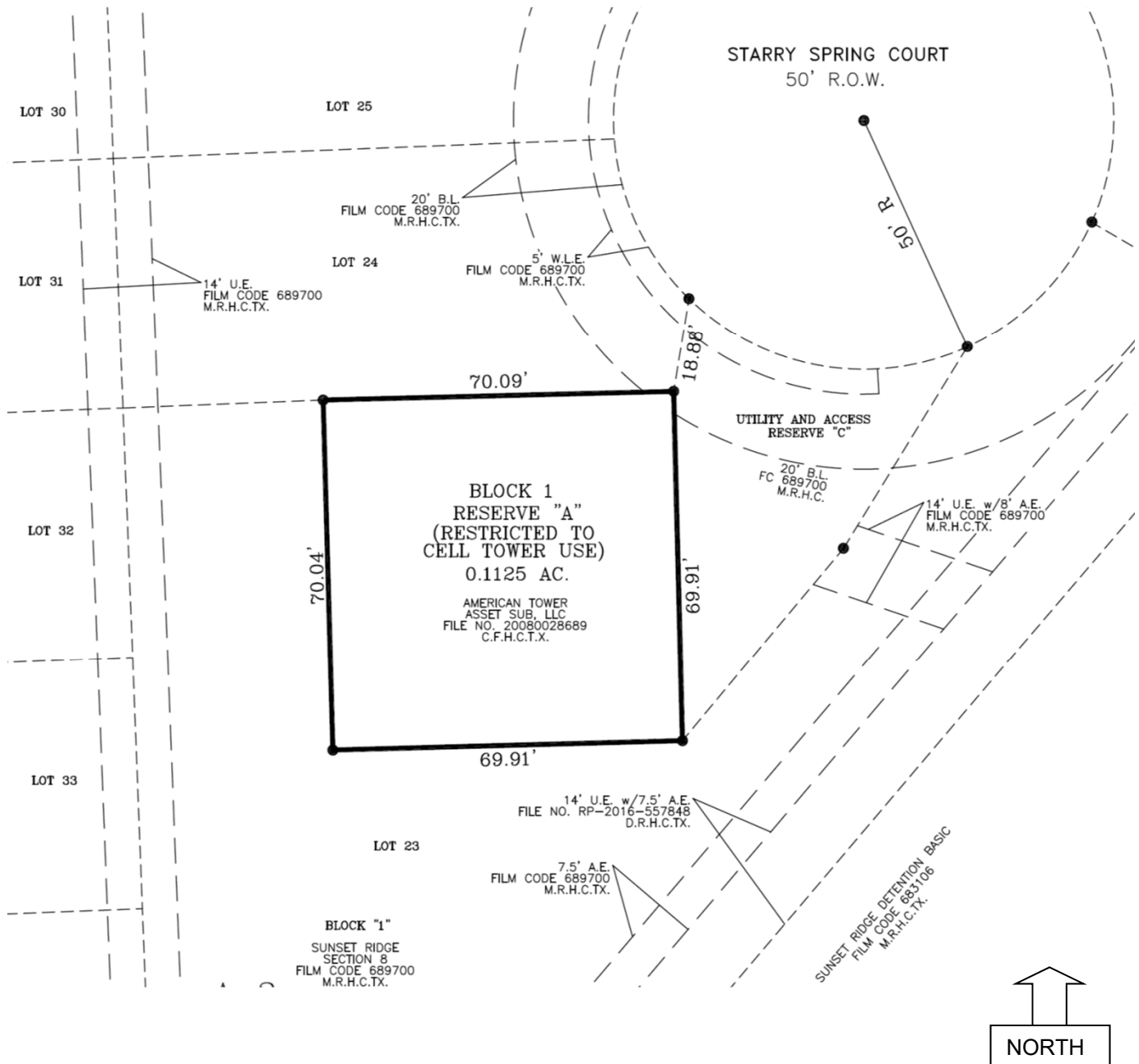
ITEM: 99

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: American Tower Victor

Applicant: American Tower



D – Variances

Subdivision

Houston Planning Commission

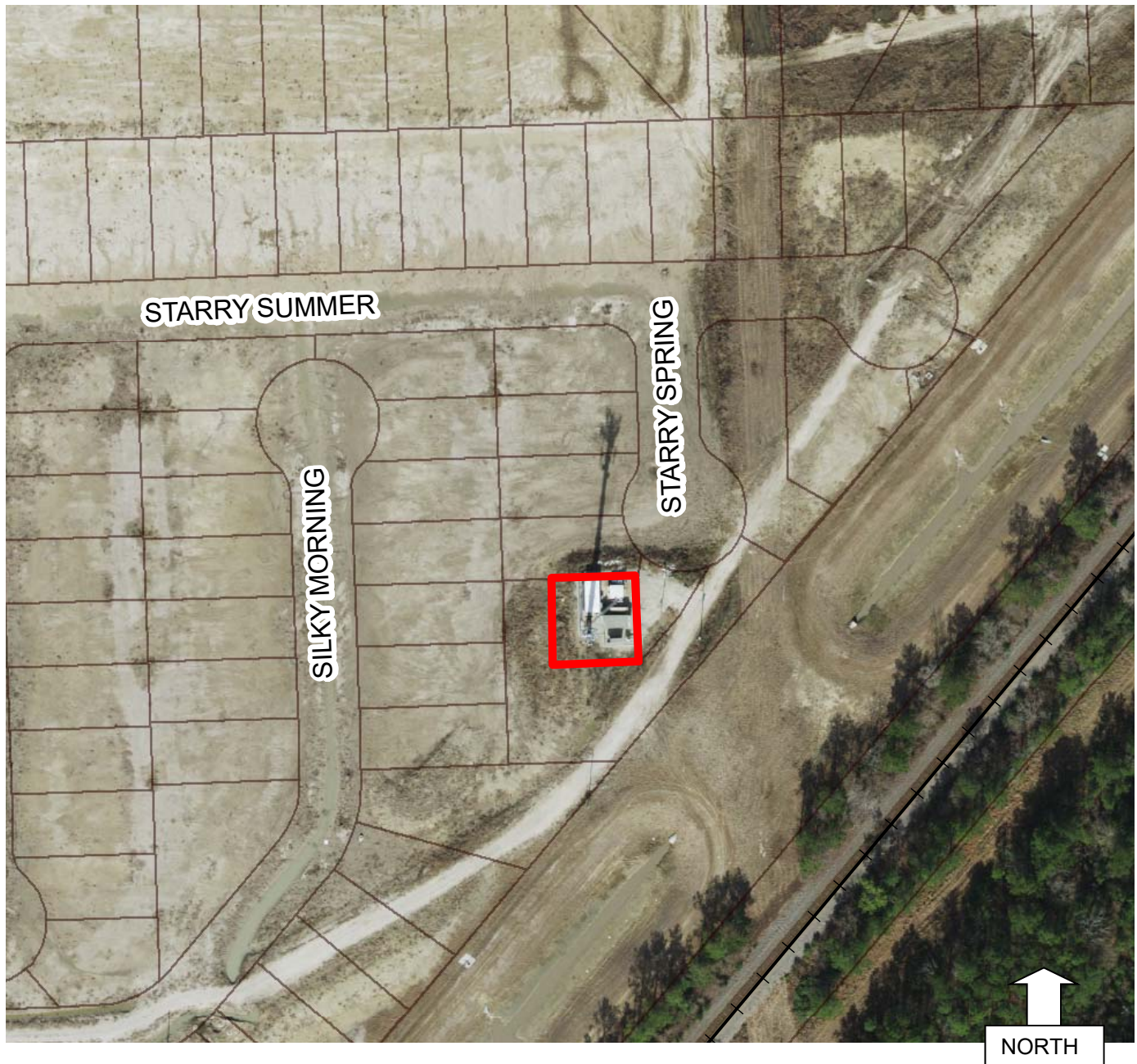
ITEM: 99

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: American Tower Victor

Applicant: American Tower



D – Variances

Aerial



Application Number: 2020-1155

Plat Name: American Tower Victor

Applicant: American Tower

Date Submitted: 07/10/2020

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:

Variance for Sec. 42-190(c) requiring a minimum size of 5,000 square feet for a unrestricted reserve.

Chapter 42 Section: 190(c)

Chapter 42 Reference:

Sec. 42-190. - Tracts for non-single-family use—Reserves. (c) Each reserve shall meet the following requirements for minimum size, the type and width of street or shared driveway on which it may be located, and the minimum frontage, as applicable to the type of reserve: Type of Reserve: Unrestricted; Minimum size: 5,000 sq. ft.; Type of street or shared driveway: public street; Minimum Street or Shared Driveway Width: 60 feet (50 feet in a street width exception area); Minimum Street or Shared Driveway Frontage: 60 feet.

Statement of Facts

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

The strict imposition of Sec. 42-190(c) would deprive American Tower and the surrounding community of the continued operation/use of the 150 foot telecommunication tower that has existed on the property since 1999. The parcel as it exists is already substantially compliant with Sec. 42-190(c), containing 4,900 square feet of area. In order to meet the required 5,000 square feet, American Tower would be forced to pursue a potentially time consuming and costly land purchase negotiation that would require the interest of a third party seller. There is no guarantee that a negotiation would be successful, and it would continue to delay all impending permitting to make improvements to the tower.

(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;

American Tower acquired the telecommunication tower in 2005 and subsequently purchased the 4,900 square foot parcel in 2007 from a landowner who evidently had not formally subdivided the parcel. American Tower has been made aware of this issue and is striving to formally plat the parcel in order to come into full compliance with applicable local and state subdivision regulations.

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

A granting of the requested variance will uphold the intent of Ch 42, which is to promote the safety and welfare of the public. This parcel has safely and effectively existed since 2007, with the actual tower having safely served the community's wireless needs since 1999. At 4,900 square feet, it is already substantially compliant with Sec. 190(c) and fulfills the intent of the specific regulation. Formally platting this longstanding parcel as it exists is in the best interest of the community because it will allow the resumption of permitting for improvements to the tower and its wireless service capabilities. Conversely, forcing American Tower to pursue a potentially unsuccessful land purchase negotiation for an

extra 900 square feet would delay impending improvements to the tower and detract from the service it provides to the community.

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

The granting of the variance will promote the public health, safety and welfare. This parcel has safely existed with the telecommunication tower for many years. A small shortage of 900 square feet in area has not and will not have any negative impact on the parcel's safety. The platting of the parcel as it exists is in the best interest of the public because it will allow for prompt resumption of further permitting for the tower to improve its service capabilities.

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

Economic hardship is only a slight factor in the request for this variance. A granting of this variance will save American Tower both time and resources and will be in the best interest of the community. A delay in the platting of this substantially conforming parcel would stall all improvements to the tower for an indefinite amount of time and thus have a negative effect on its provision of wireless service to the public.

Houston Planning Commission

ITEM: 100

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Independence Heights partial replat no 1 (DEF 1)

Applicant: Teran Group LLC



D –Variance

Site Location

Houston Planning Commission

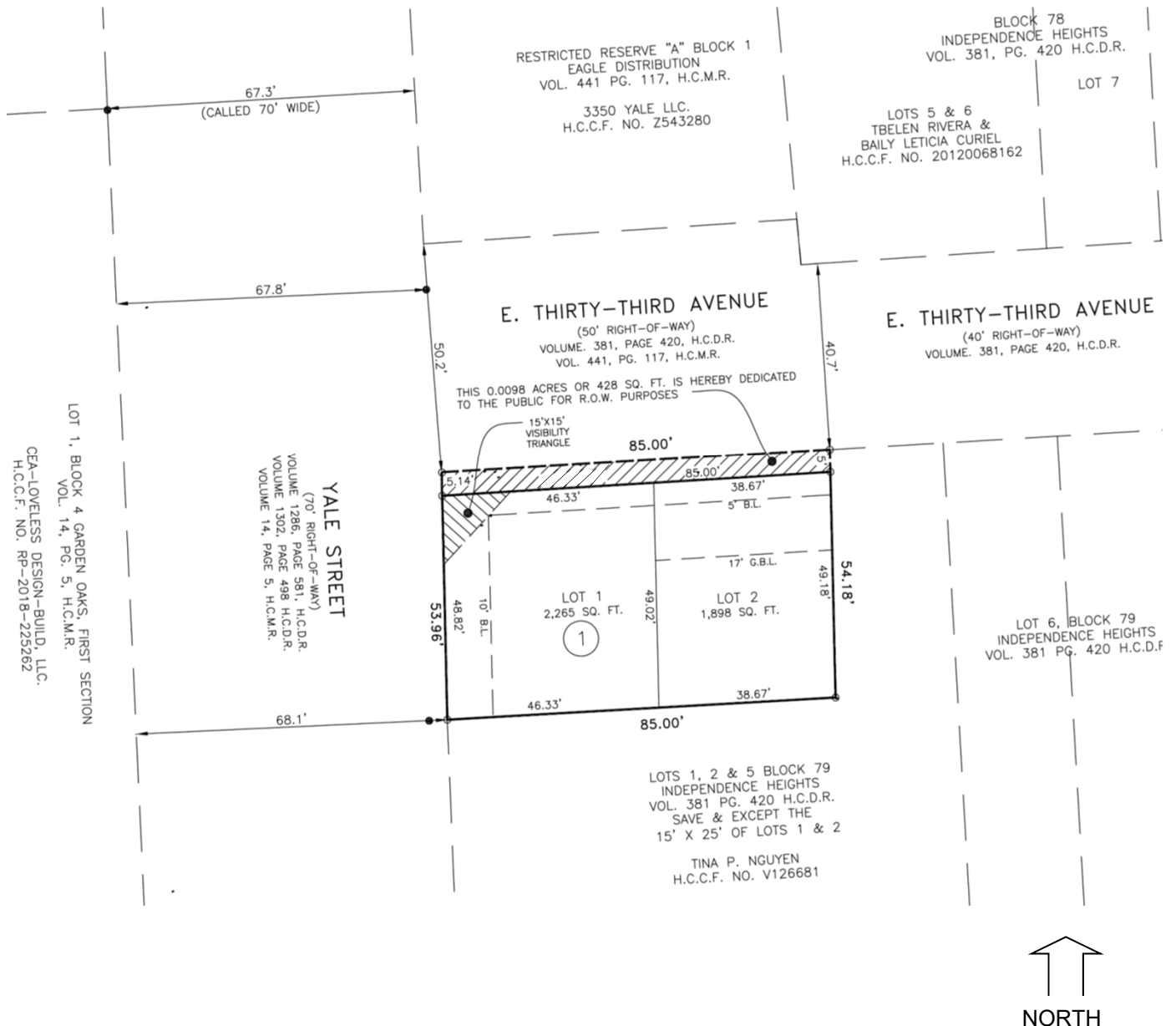
ITEM: 100

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Independence Heights partial replat no 1 (DEF 1)

Applicant: Teran Group LLC



D - Variance

Subdivision

Houston Planning Commission

ITEM: 100

Planning and Development Department

Meeting Date: 08/06/2020

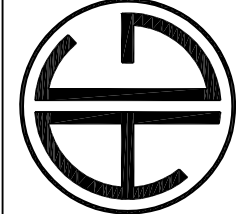
Subdivision Name: Independence Heights partial replat no 1 (DEF 1)

Applicant: Teran Group LLC



D – Variance

Aerial



ALVARADO GROUP, LLC

5710 W. 34TH ST. STE E
Houston, Tx 77092
Fax: 832-831-0996
alvaradogroupllc.com

DRAWN BY:

EDUARDO ALVARADO

CONTACT INFO:

- 832-203-25-75
- eduardo.agl@live.com

SEAL

NEW RESIDENCE

10274 PORTO RICO ROAD
HOUSTON, TX 77041

PROJECT NAME:

PLOT DATE:

07/26/2020

SCALE:

1:20

JOB No:

032

SHEET NAME:

SITE PLAN

SHEET #:

C-1

THIS 10' DEDICATED TO
THE PUBLIC FOR RIGHT-OF-WAY PURPOSES
AS PER VOLUME 441, PAGE 117, H.C.D.R.

1
X = 31110102.85
Y = 13861915.63
SET 5/8" I.R.
WITH CAP
FND. 1/2" I.R. BRS.
S86°44'W, 3.93'

2
X = 31110187.71
Y = 13861920.47
FND. 1/2" I.R.

3
X = 31110186.57
Y = 13861969.64
SET 5/8" I.R.
WITH CAP STAMPED
"TERAN GROUP RPLS 4603"

4
X = 31110186.45
Y = 13861974.64
FND. "X" IN CONC.

5
X = 31110101.72
Y = 13861964.43
SET 5/8" I.R.
WITH CAP STAMPED
"TERAN GROUP RPLS 4603"

6
X = 31110101.60
Y = 13861969.57
FND "X" IN CONC.
BRS. S87°11'W, 4.8'

E. THIRTY-THIRD AVENUE

(50' RIGHT-OF-WAY)

VOLUME 381, PAGE 420, H.C.D.R.
VOL. 441, PG. 117, H.C.M.R.

YALE STREET

(70' RIGHT-OF-WAY)

VOLUME 1286, PAGE 581, H.C.D.R.
VOLUME 1302, PAGE 498 H.C.D.R.
VOLUME 14, PAGE 5, H.C.M.R.

THIS 0.0098 ACRES OR 428 SQ. FT. IS HEREBY DEDICATED
TO THE PUBLIC FOR R.O.W. PURPOSES

SP

3

4

PROPERTY LINE

5' B.L.

54.18'

S01°19'57"E

49.18'

32.6'

7.5'

AC

38.67'

16.3'

11.6'

22.4'

46.33'

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ALVARADO GROUP, LLC

5739 N. 44th St., Suite E
Houston, TX 77055
Tel: 281-461-4000
alvaradogroup.com

ALVARADO ALVARADO

CONTACT INFO

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FRONT SECTION ELEVATION
3208 YALE ST.
HOUSTON TX 77018

DATE: 07/28/2020

SCALE: 1/8" = 1'-0"

DATE: 08/2

DATE: 08/2

DATE: 08/2

DATE: 08/2

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DATE: 08/2

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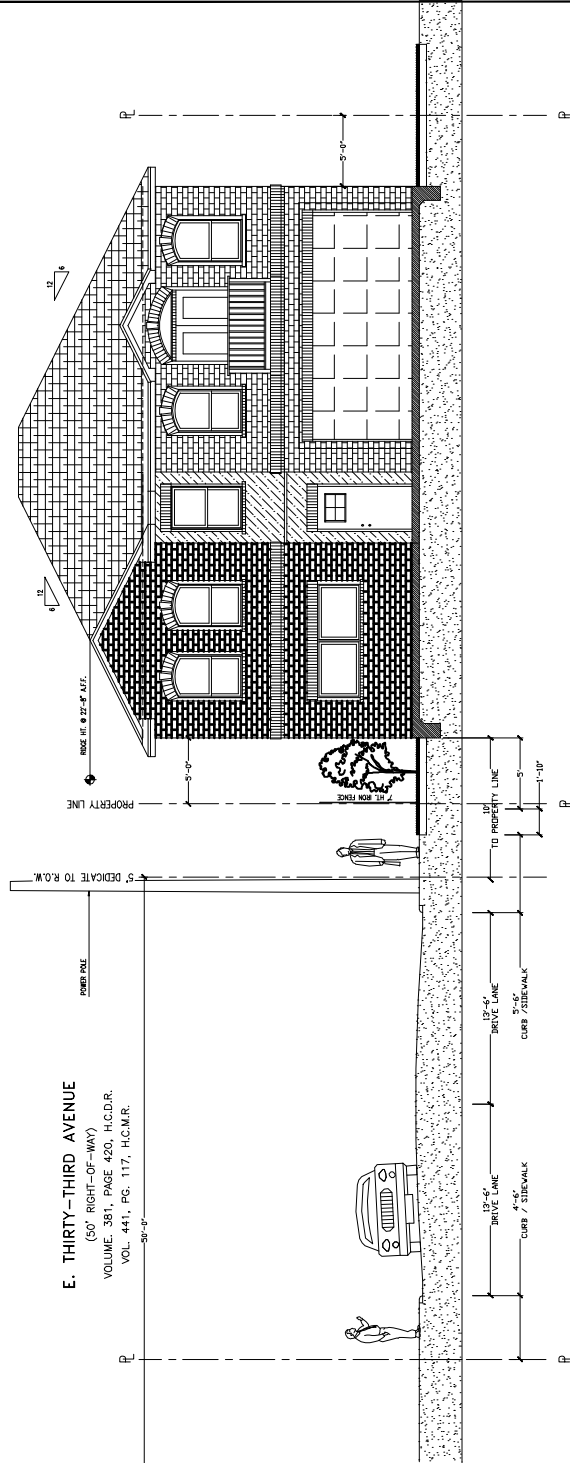
DATE: 08/2

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E. THIRTY-THIRD AVENUE
(50' RIGHT-OF-WAY)
VOLUME 381, PAGE 420, H.C.D.R.
VOL. 441, PG. 117, H.C.M.R.

ELEVATION 33RD STREET

A-1



Application Number: 2020-0995

Plat Name: Independence Heights partial replat no 1

Applicant: Teran Group LLC

Date Submitted: 06/15/2020

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:

To allow a reduced building setback line of 10 feet along Yale Street as opposed to the required 25 foot setback line. To allow a reduced building setback line of 5 feet along E 33rd Street as opposed to the required 10 foot setback line. To allow a reduced right-of-way dedication of 5 feet as opposed to the required 10 feet

Chapter 42 Section: 150 and 122

Chapter 42 Reference:

Sections 42-150 "Building Line Requirement" Sec. 42-122. - Right-of-way widths. The minimum right-of-way required for each of the following types of streets or public alleys shall be as follows, subject only to the street width exception areas established pursuant to section 42-123 of this Code: Local streets: (1) 50 feet if adjacent to exclusively single-family residential lots; or (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

This property is a corner lot and has frontage on Yale Street, a major thoroughfare and a side street on E. Thirty-Third Avenue, a local street. According to the City of Houston Ordinance No. 85-1878 and amended by Ordinance No. 1999-262 recorded under Harris County Clerk's File No. N253886, the building setback line along a major thoroughfare should be 25 feet and 10 feet along a minor or local street. According to the map of Independence Heights recorded in Vol. 381, Pg. 420 H.C.D.R., Lot 3 in Block 79 of Independence Heights have a frontage of 25 feet in width along Yale Street (70' R.O.W. per Vol. 1286, Pg. 581 and Vol. 1302, Pg. 498, H.C.D.R.) and a length of 100 feet. Running parallel with E. 33rd Avenue (from 40' R.O.W. per Vol. 381, PG. 420, H.C.D.R. and widened to 50' per the plat of Eagle Distribution recorded in Vol. 441, Pg. 117, H.C.M.R.). Lot 4 in Block 79 of Independence heights have a frontage of 28.9 feet along Yale Street and 100 feet along the south right-of-way line of E. 33rd Avenue. This property have an existing house facing E. 33rd Avenue and was built some 30 years ago with a square footage of less than 900. The owner submitted the Construction Plans at the City of Houston Permitting Department to build a second Single Family Residence on the vacant portion of Lots 3 and 4 fronting Yale Street with an address of 3208 Yale Street last December, 2018 and received a building permit at the City of Houston Permitting Department with a Boundary Survey showing a lot dimensions of 53.90 feet in width fronting Yale Street and 100.00 feet in length along E. 33rd Avenue and showing 25' B.L. along Yale Street and 10' B.L. along E. Thirty-Third Avenue. And the 2nd single-family residence was then completed last August, 2019. The Owner wanted now to put the newly built house in the market to sell but all prospective buyer(s) wants a clean legal description not just by Metes and Bounds but by re-platting to show 2 Single Family Residential Lots. In the process of doing an Existing Boundary Survey showing all improvements therein and with a Title search done for this site, there was a 15 foot wide conveyed to Harris County recorded in Volume 1302, Page 498 of the Deed records of Harris County, Texas along Yale Street. So the new dimension of the property have been reduced from 100.00 feet to 85.00 feet in length although he was and still is paying for the original lot size of 53.90 feet in width and 100.00 feet in length. Also it is showing that the back of curb is 2 feet as opposed to a normal 11 feet from the property line along the south right-of-way line of E. 33rd Street and the public sidewalk is inside the boundary of this site by 2.7 feet. Since this Single Family Residence is now existing having a 10 foot right-of-way dedication along E 33rd Avenue with a 10 foot building setback line required by the Ordinance on E. 33rd Avenue and a 25 foot building setback line along Yale Street will be impossible meet.

(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 variance request is consistent with the general layout of the immediate residential block fare and area. The goal is to create a traditional neighborhood design with "Urban" development, providing a pedestrian-friendly setting through enhanced street paving, sidewalks and landscape treatments. Reducing the building setback line to 10 foot along Yale Street and a 5' building setback line along E. 33rd Avenue with a reduced right-of-way dedication from 10' to 5' and creating a more inviting and encumbered pedestrian experience.

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

The overall development plan for the proposed plat is designed to enhance the pedestrian district by creating a safe and inviting place to walk. By reducing the building setback line from 25 foot to 10 foot along Yale Street and from 10 foot to 5 foot along E. 33rd Avenue with a 5 foot instead of 10 foot right-of-way dedication, the existing Single Family Residence was built before doing a partial replat in this subdivision to observe and comply with the applicable City of Houston Ordinances.

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

The Owner of the existing single family residence will be consistent with the theme of this neighborhood and compatible with the pedestrian-friendly urban setting. The development of this neighborhood will keep the compatible location and character of the homes. The wrought iron fence along the Yale Street and E. 33rd Avenue through an enhanced sidewalks and landscape treatments provides a pedestrian-friendly setting and the design is in keeping with the approved planning standards in creating a more Urban pedestrian friendly environment.

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

Granting the 10 foot reduced building setback line variance along the Yale Street, a major thoroughfare and a 5 foot reduced building setback line variance along E. 33rd Avenue will not be injurious to the public. Since the residences in this neighborhood has been built some 30 years ago with the observance of 25 foot building setback line along Yale Street that has been widened to 70 feet per Vol. 1302, Pg. 498, H.C.D.R. The building line of 10 foot along Yale Street and 5 foot along E. 33rd Avenue is consistent with the general layout of the immediate residential block fare.

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

Economic hardship is not the sole justification for the variance request. The existing structure was built last 2019 based on the Boundary Survey and Site Plan presented to the City of Houston Permitting Department and was permitted at the City of Houston last December 2018.



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. 832.393.6661
www.houstontx.gov

July 16, 2020

NOTICE OF VARIANCE REQUEST

PROJECT NAME: Independence Heights partial replat no 1

REFERENCE NUMBER: 2020-0995



Dear Property Owner:

The Planning and Development Department has received a subdivision application with a variance request for a property located at the southeast intersection of Yale Street and E. 33rd Ave. 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 allow a reduced building setback line of 10 feet along Yale Street as opposed to the required 25 foot setback line, a reduced building setback line of 5 feet along E 33rd Street as opposed to the required 10 foot setback line and to allow a reduced right-of-way dedication of 5 feet as opposed to the required 10 feet. 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. This item is currently being scheduled for consideration at a

Virtual Planning Commission Meeting

Thursday, July 23, 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

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

1. Send email to: 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 **Orlando Teran with Teran Group LLC at 713-244-9795**. You may also contact Devin Crittle with the Planning and Development Department regarding this notice via email at planning.variances@houstontx.gov or call (832)393-6600. To view the complete Planning Commission meeting agenda, go to www.houstonplanning.com. Information on the reverse side of this page explains more about the terminology used in this letter.

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

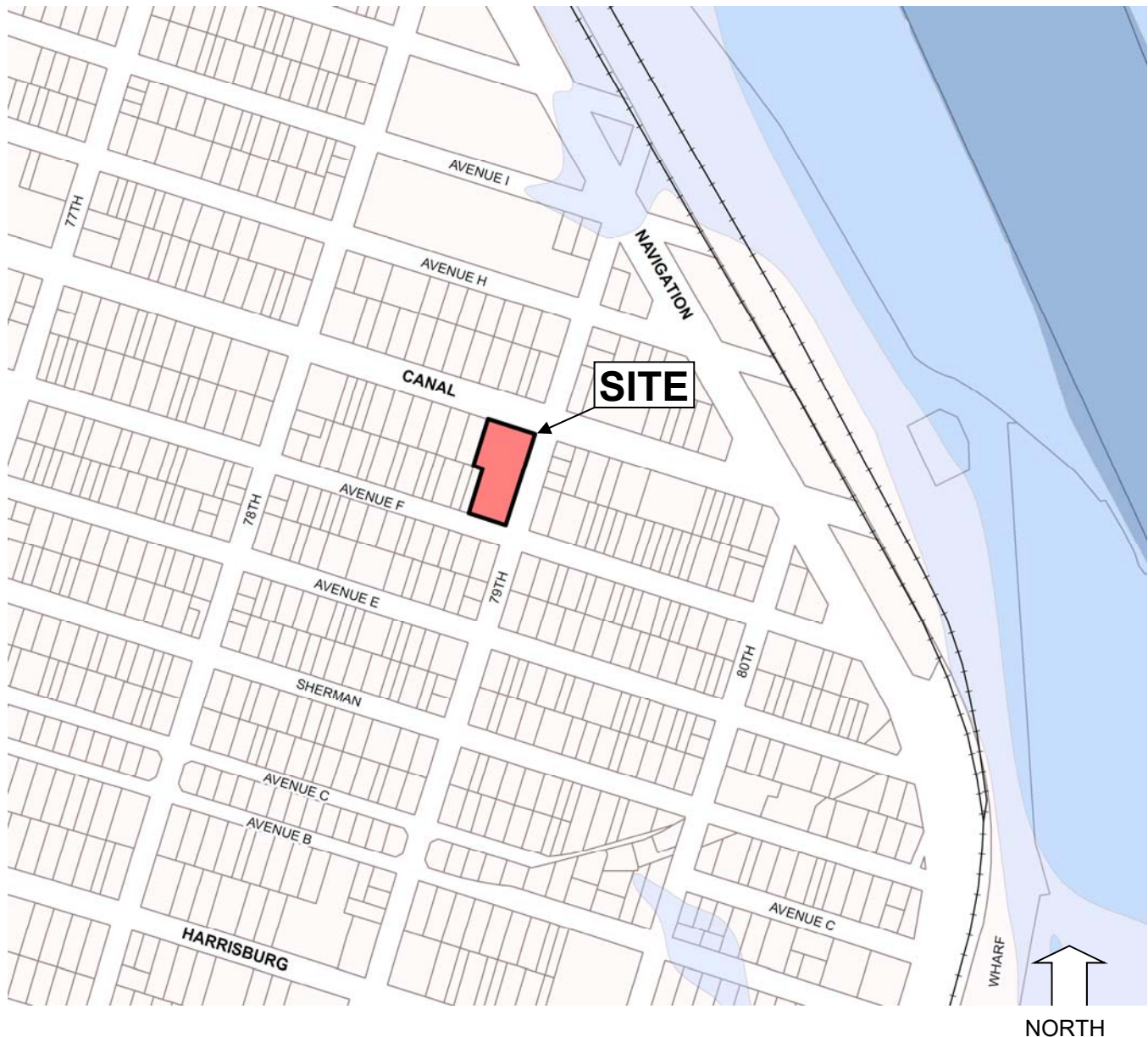
ITEM: 101

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Magnolia Park Sec 2 partial replat no 5

Applicant: SEM Services



D – Variances

Site Location

Houston Planning Commission

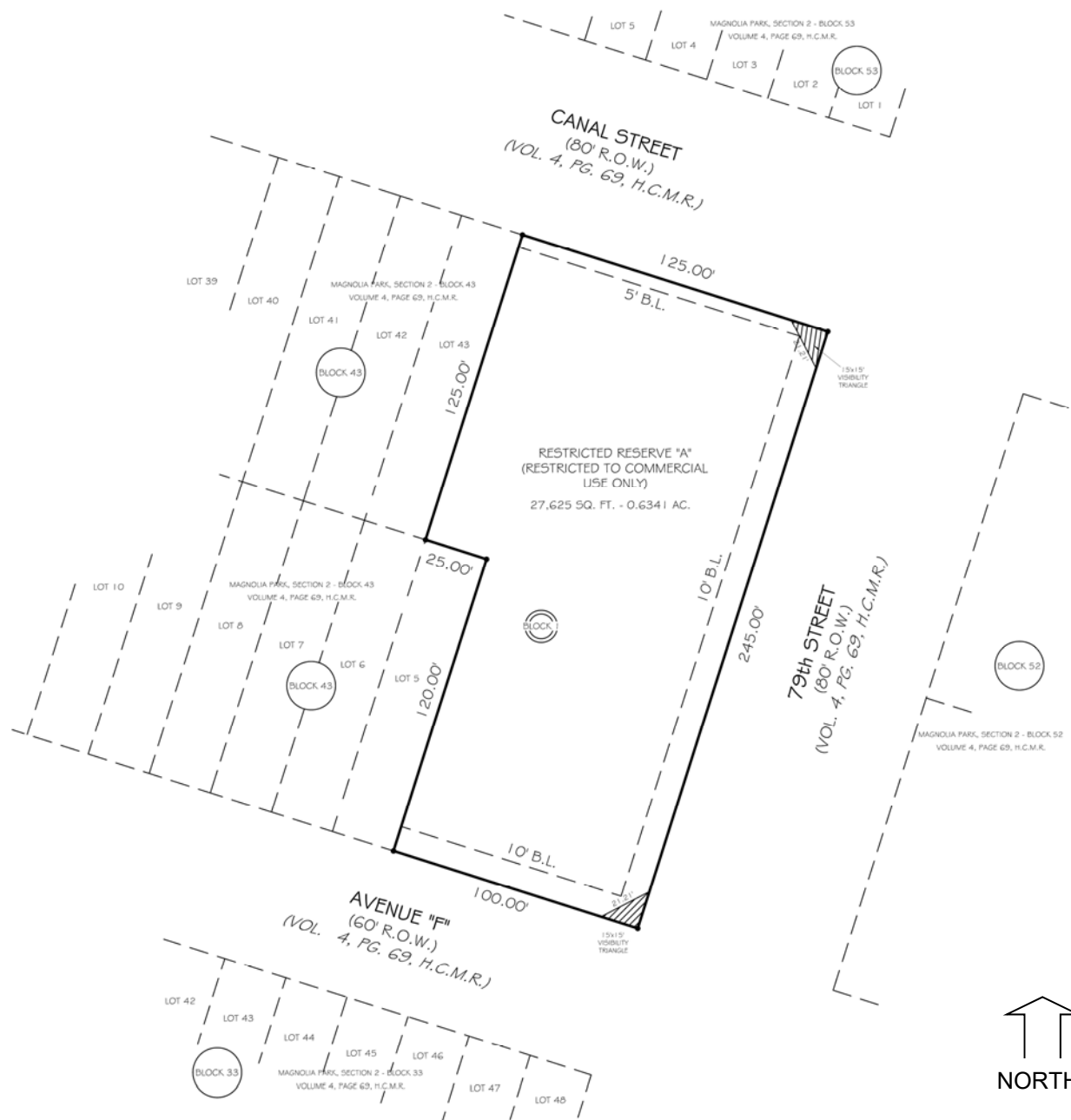
ITEM: 101

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Magnolia Park Sec 2 partial replat no 5

Applicant: SEM Services



D – Variances

Subdivision

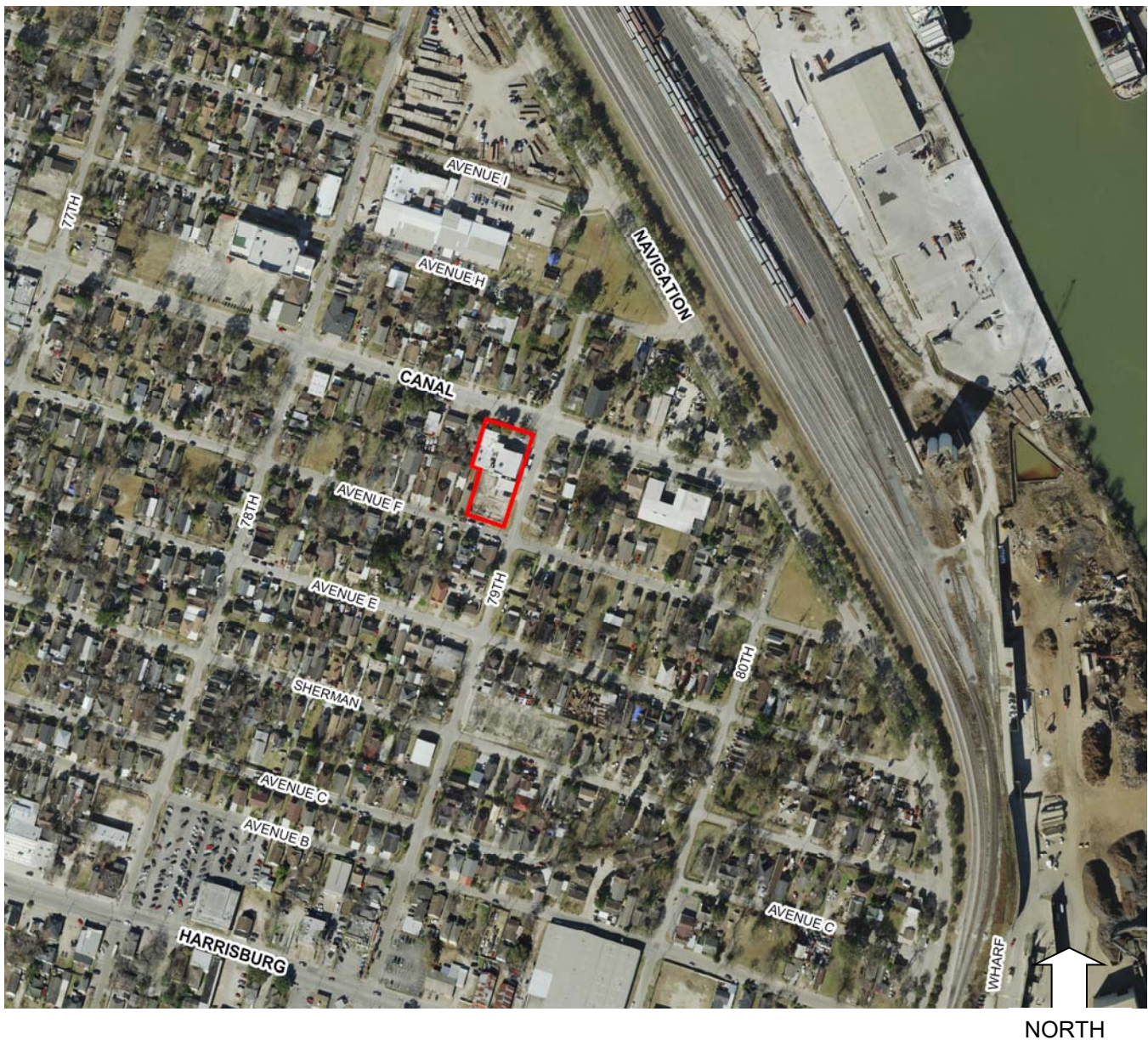
Houston Planning Commission ITEM: 101

Planning and Development Department

Meeting Date: 08/06/2020

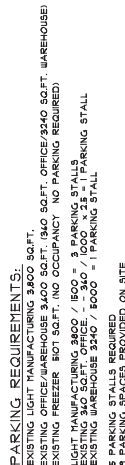
Subdivision Name: Magnolia Park Sec 2 partial replat no 5

Applicant: SEM Services

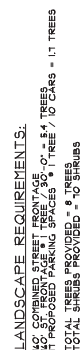


D – Variances

Aerial

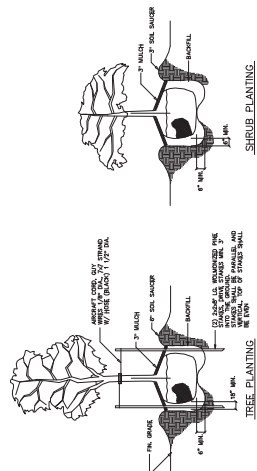


C
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 N PM ELEV. = 29.82



GENERAL NOTES

- [illegible]



11'-2"

15'-10"

GENERATOR

EAST VIEW

[illegible]

SITE PLAN
1" = 20'-0"



Application Number: 2020-1184

Plat Name: Magnolia Park Sec 2 partial replat no 5

Applicant: SEM SERVICES

Date Submitted: 07/13/2020

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

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

Specific Variance is being sought and extent of variance:

To allow a 5' BL in lieu of the required 10' BL along Canal Street.

Chapter 42 Section: 155

Chapter 42 Reference:

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

Statement of Facts

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

The site is at the southwest intersection of Canal Street and 79th Street in the Magnolia Park Super Neighborhood. The applicant is requesting once variance: 1. To allow a structure along Canal Street, a major collector of 80' ROW to have a 5' BL in lieu of the required 10' BL. The subject site is home to La Brisa Ice Cream, a local Hispanic pride owned business that has been serving the community for more than 39 years. The owner is proposing to make an expansion to his storage facility along Canal Street, no other building modifications will occur at this time. Existing neighborhood characteristics of the Magnolia Park Super Neighborhood as of 0' to 5' BL along Canal Street between 77th-79th Streets. Canal was a major arterial of the vibrant neighborhood 100 years ago. The property wants would like to follow the development pattern of the existing neighborhood as they continue to expand their business. With this in mind, we believe Chapter 42 rules are not applicable to this portion of Magnolia Park that is emerging as an urban 21st century walkable Hispanic neighborhood with La Brisa Ice Cream as a gathering place.

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

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

The main justification for granting the requested variance is based on the existing adjacent development. Requiring a 10' BL along Canal Street would be contrary to sound public policy in a neighborhood that is not compatible with the suburban requirements of Chapter 42 in this walkable urban area. Reassuring allowing a 5' BL along Canal Street is in line with the physical characteristics of the nearby properties.

(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. Development will meet all other requirements as per the ordinance.

(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. Business density will be expanded to promote the urban walkable neighborhood, thus increasing walkers.

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

Economic hardship is the not the sole justification of the variance. The existing character of the neighborhood is.



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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F. 832.393.6662
www.houstontx.gov

July 30, 2020

NOTICE OF VARIANCE REQUEST

PROJECT NAME: Magnolia Park Sec 2 partial replat no 5

REFERENCE NUMBER: 2020-1184



Dear Property Owner:

The Planning and Development Department has received a subdivision application with a variance request for a property located at the southwest corner of Canal Street and 79th 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.

SEM Services, the applicant, has filed the request on behalf of the owner of the subject site. The applicant is requesting a variance to allow a reduced building line of 5' in lieu of the ordinance required 10' along Canal Street for a new addition. Enclosed are copies of the variance request, the proposed subdivision plat, and the proposed 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, August 6, 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 the Houston Planning Commission. To join the meeting, visit our website:

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,

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 **Stephanie Rivera-Lopez** of **SEM Services** at **(281) 771-2175**. You may also contact Tammi Williamson with the Planning and Development Department regarding this notice via email at planning.variances@houstontx.gov or call (832)393-6600. To view the complete Planning Commission meeting agenda, go to www.houstonplanning.com. Information on the reverse side of this page explains more about the terminology used in this letter.

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

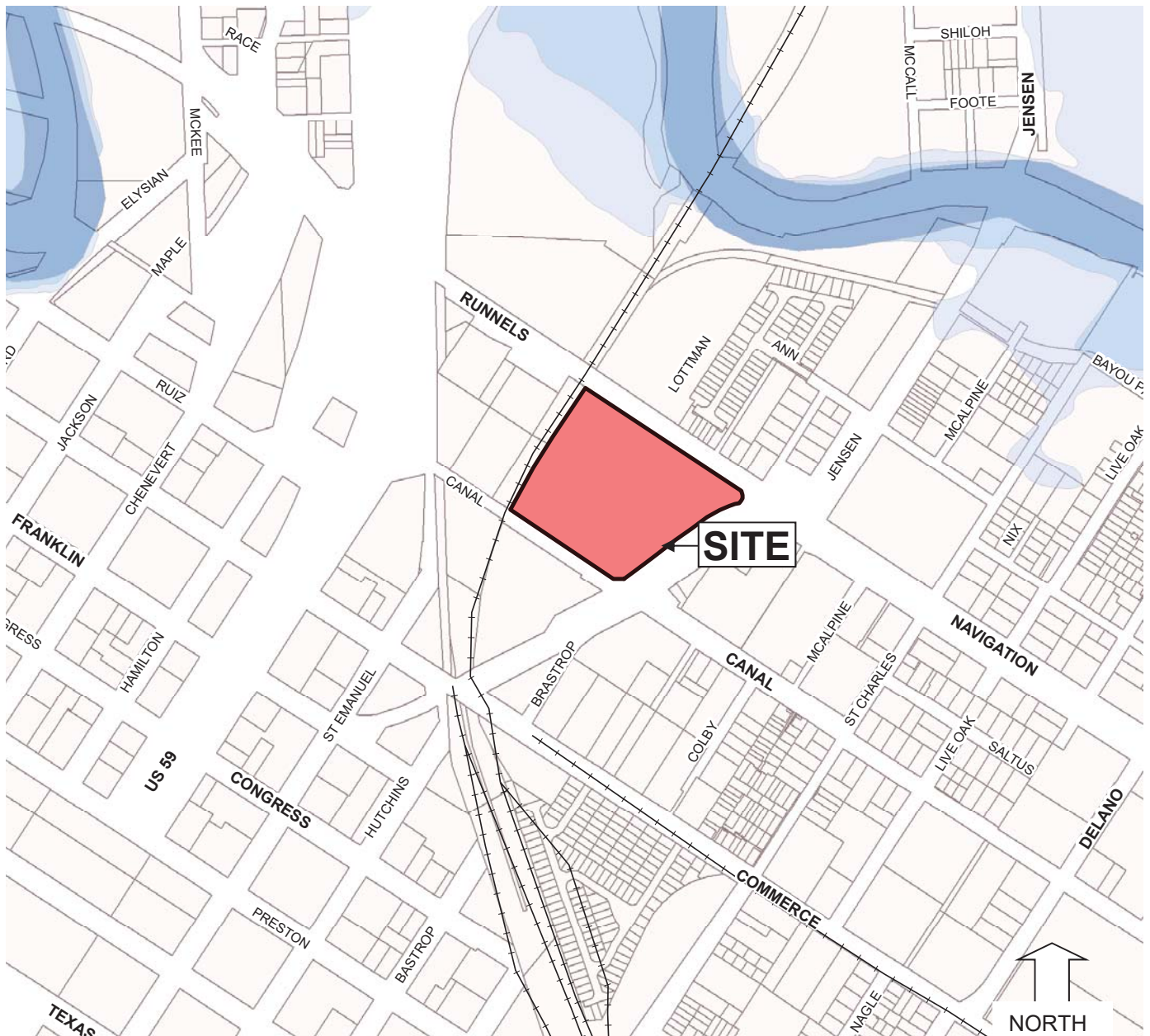
ITEM: 102

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Navigation Mill (DEF 2)

Applicant: Windrose



D – Variances

Site Location

Houston Planning Commission ITEM: 102

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Navigation Mill (DEF 2)

Applicant: Windrose



D – Variances

Subdivision

Houston Planning Commission

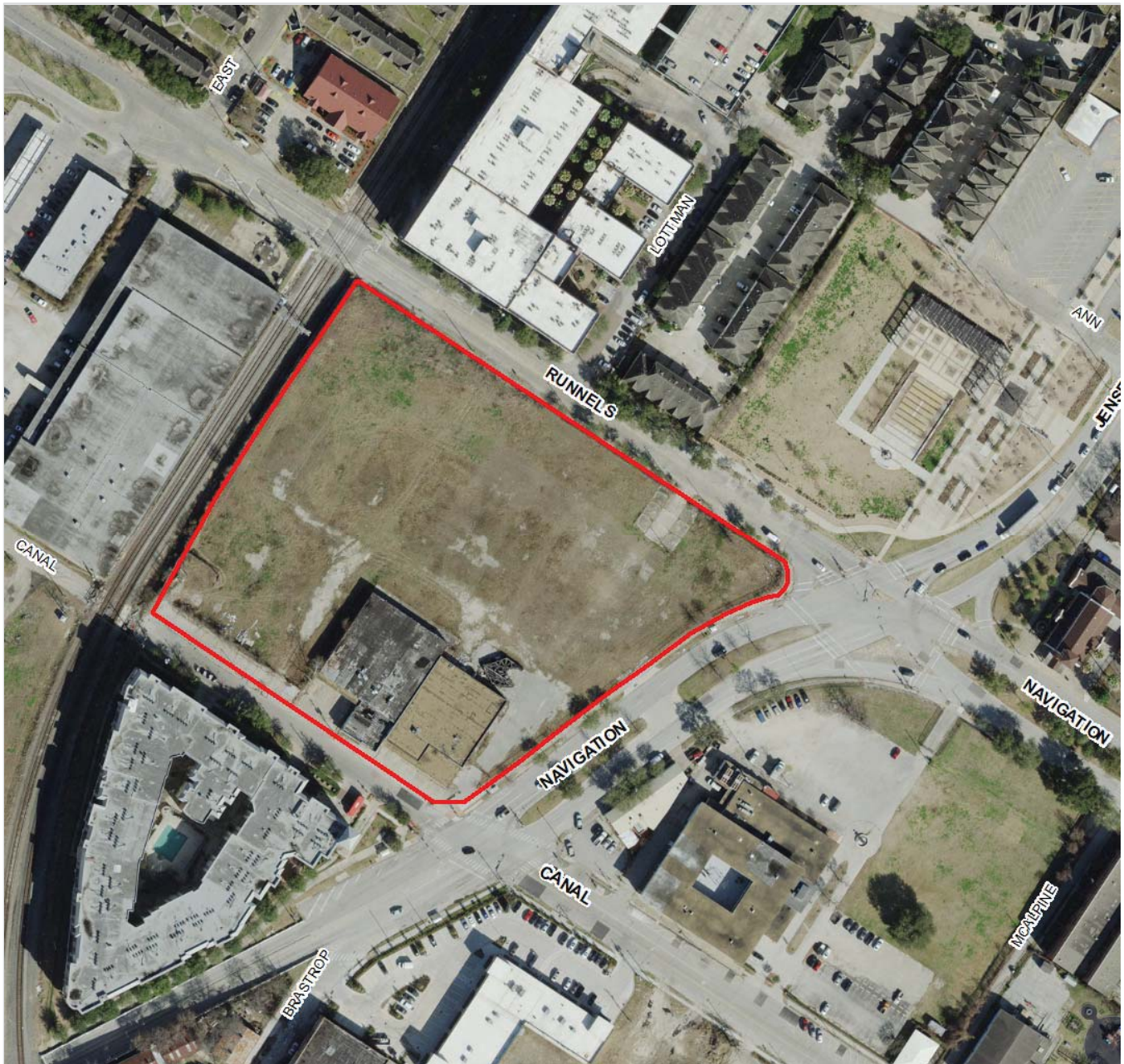
ITEM: 102

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Navigation Mill (DEF 2)

Applicant: Windrose



D – Variances

Aerial

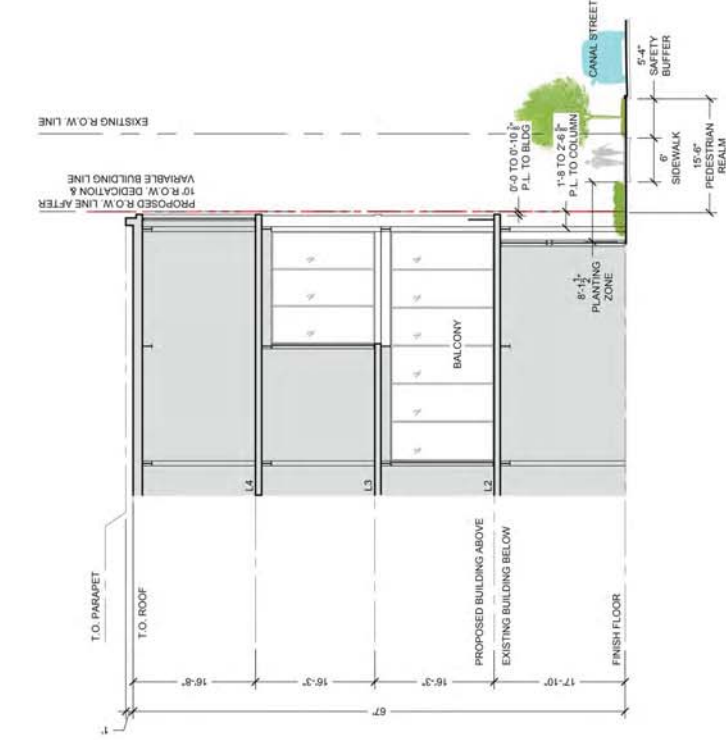


Street Trees (T=6x20)			
Street Name	Length (ft)	Trees Required	Trees in Plan
Navigation	531.5	17	17
Runnels	127.5	4	4
Canal	127.5	4	4
Total		25	25

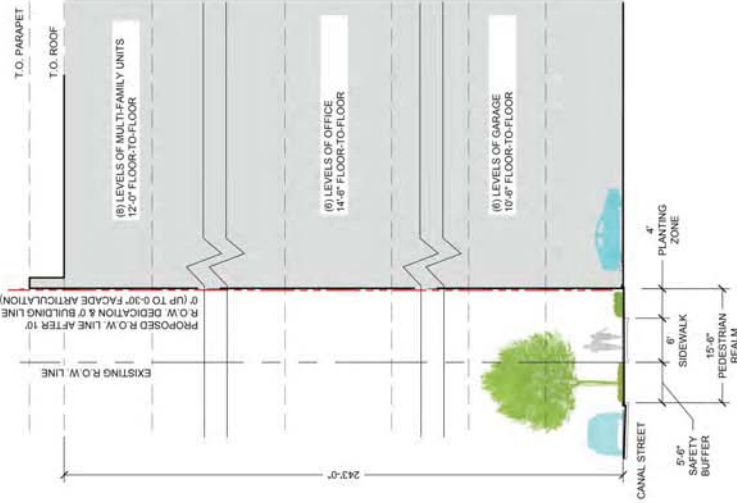
Planting Lot Trees (1 Tree / 10 Spaces)			
Species	Spaces	Trees Required	Trees in Plan
Total	40	4	4

Shrub (T x 10)			
Species	Spaces	Shrubs Required	Shrubs Provided
Total	54	54	54

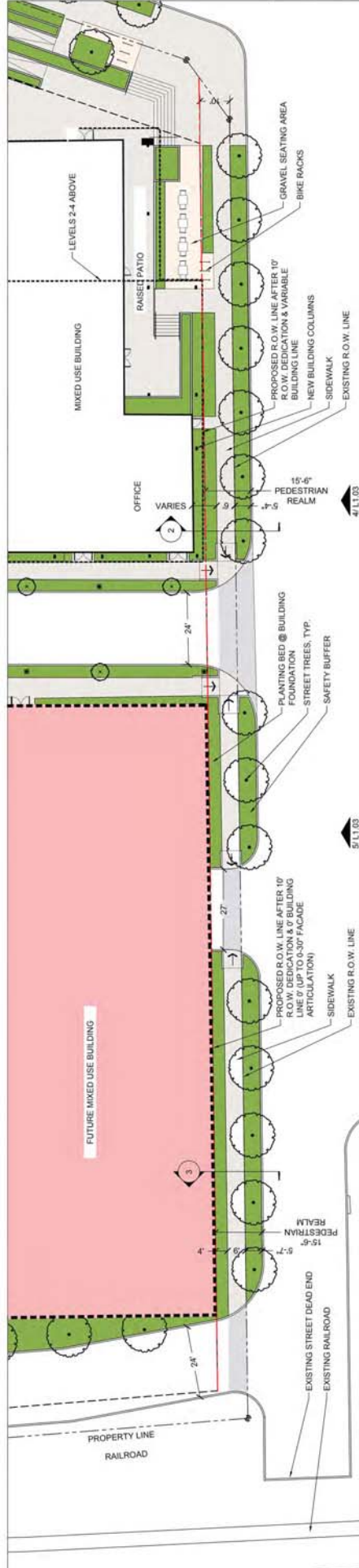




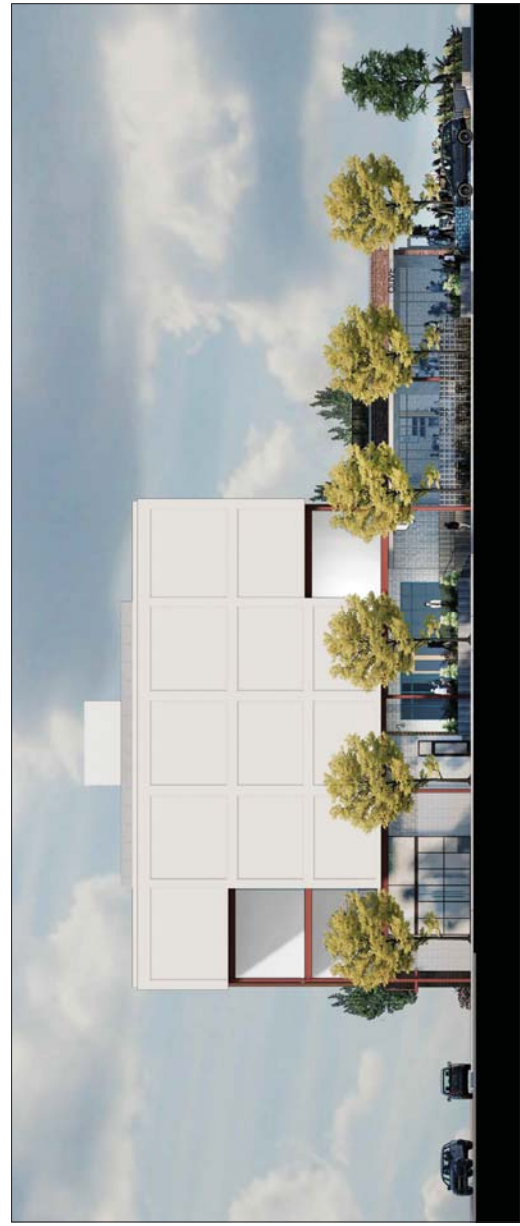
2 SECTION AT PHASE 1 OFFICE LOOKING EAST
SCALE 1/8" = 1'-0"



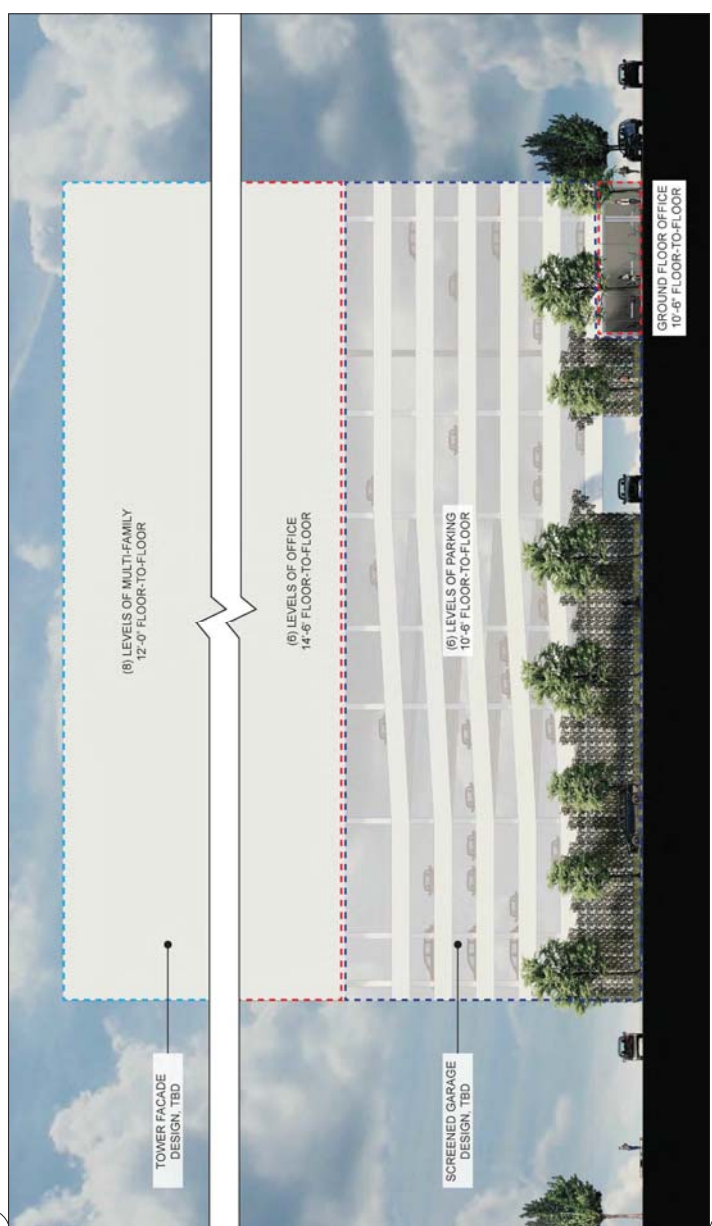
3 SECTION AT PHASE 2 MIXED USE LOOKING WEST
SCALE 1/8" = 1'-0"



1 CANAL STREET PLAN ENLARGEMENT
SCALE 8" = 1'-0"



4 SECTION AT PHASE 1 MIXED USE & OFFICE LOOKING NORTH
SCALE: 1/8" = 1'-0"



5 SECTION AT PHASE 2 MIXED USE BUILDING LOOKING NORTH
SCALE: 1/8" = 1'-0"



PLANNING & DEVELOPMENT DEPARTMENT

APPLICANT'S Variance Request Form

Application Number: 2020-1119

Plat Name: Navigation Mill

Applicant: Windrose

Date Submitted: 06/29/2020

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 Being Sought: 42-150 "Building Line Requirement." To have a variable building line along Canal Street.

Chapter 42 Section: 150

Chapter 42 Reference:

Sec. 42-150. - Building line requirement. (a)An improvement that requires a building permit shall not be constructed within the building line requirement established 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 property is located east of Downtown Houston on the north side of Navigation Boulevard between Runnels and Canal Streets and south of the Missouri Pacific Railroad line. The applicant seeks to develop a two-phase urban mixed use development including office, multi-family, restaurant, and retail. Phase 1 includes the addition of new buildings and the adaptive reuse of existing warehouse structures. The applicant is requesting a variance from the required ten-foot (10') building line along Canal Street in order to increase the building footprint and height of existing warehouse structures in Phase 1 and build a new mixed use building with office and multi-family residential in Phase 2. Canal Street is classified as local street – it has a variable width right-of-way ranging from fifty-foot (50') to sixty-foot (60') near the intersection with Navigation Boulevard. The proposed plat provides a ten-foot (10') right-of-way dedication expanding Canal Street from sixty-foot (60') to seventy-foot (70') near the intersection. The two existing warehouses built in the 1950s located near the corner of Canal Street and Navigation Boulevard will be remodeled and incorporated into the site plan as one of four mixed used buildings facing an interior courtyard. The courtyard is the central feature of Phase 1 and of the overall development. Patio spaces and outdoor seating are located inside the courtyard and surface parking is nearby in two locations; along Navigation Boulevard and in a nearby surface parking lot. The proposed variable building line along Canal Street ranges from 0' to 0.91' at the location of the existing warehouses and is a zero-foot (0') building line at the location of the new mixed use building being proposed in Phase 2. Strict imposition of the ten-foot (10') building line requirement will prohibit the applicant from improving and repurposing the dilapidated existing structures and from developing Canal Street with a consistent building setback, which will maintain the pedestrian friendly urban character established in the neighborhood.

(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;

NA

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

The hardship for the request is the need to maintain compatibility with surrounding development characteristics and provide an adequate setback along Runnels Street, a major collector. The required land area needed for well-designed safe parking structures, surface parking and drive aisles, and adequate outdoor plaza space is driving the layout of the site plan. In addition, if the applicant is not granted the variance to expand the building footprint of the existing warehouses, modernize their outward appearance, and build a consistent building façade along Canal Street, it would lead to incompatible architectural character east of Downtown – one of the premiere mixed-used areas in the City.

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

One of the primary goals of the City's development regulations is to promote high-quality, compatible and safe redevelopment. Located only a block from Highway 59 and Downtown, the applicant's project will provide housing, office, dining, and retail close to Downtown in a highly walkable area. The variance request would allow the applicant to maintain the historic character and street scene of Canal Street while providing numerous improvements to the public right-of-way. In exchange for a reduced building line, the applicant will provide a pedestrian realm greater than fifteen-feet (15'), a safety buffer greater than five-feet (5') between the pavement and the six-foot (6') continuous sidewalk, and an activated street scene with office and retail on the ground floor and housing on the floors above.

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

This zero-foot building setback with an enhanced pedestrian realm is a prevailing design characteristic of areas near the Central Business District. One of the major considerations of a zero-foot building line environment is an activated street scene and enhanced, safe pedestrian realm. Canal Street is effectively a dead-end street which does not extend north due to the existing Missouri Pacific Railroad. No crossings of the railroad are planned making Canal Street a safe route for pedestrians living in the proposed multi-family and using the proposed office, dining, and retail. There will be a pedestrian realm which exceeds the City's current standards for Transit Oriented Development and Walkable Places ranging in width from fifteen-feet (15') to fifteen-feet and six inches (15'-6"). Further, the planned improvements will have no impact on the existing level of service for the surrounding street system or emergency vehicle access as the development has access to two other streets, Runnels and Navigation.

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

The hardship for the request is the need to maintain compatibility with the character of the existing area and provide a safe and adequate setback along Runnels Street. Without the variance, the applicant will have to abandon the plan to repurpose existing warehouse structures taking away from the development's unique character, which is in line with the surrounding neighborhood.



CITY OF HOUSTON

Planning and Development

Sylvester Turner

Mayor

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July 15, 2020

NOTICE OF VARIANCE REQUEST

PROJECT NAME: Navigation Mill
REFERENCE NUMBER: 2020-1119



Dear Property Owner:

This notification letter is being sent to correct errors on the previous correspondence dated July 1, 2020. Please refer to this letter for information regarding the above referenced variance request.

The Planning and Development Department has received a subdivision application with a variance request for a property located along Navigation Boulevard between Runnels and Canal 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 variance to allow for a variable reduced building along Canal Street as opposed to the required 10'. 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. This item is currently being scheduled for consideration at a

Virtual Planning Commission Meeting

Thursday, July 23, 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:

1. Send email to: 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 **Arica Bailey of Windrose** at **713-458-2281**. You may also contact Lyndy Morris with the Planning and Development Department regarding this notice via email at planning.variances@houston.tx.gov or call (832)393-6600. To view the complete Planning Commission meeting agenda, go to www.houstonplanning.com. Information on the reverse side of this page explains more about the terminology used in this letter.

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

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

PROPERTY OWNERSHIP INFORMATION

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

Houston Planning Commission

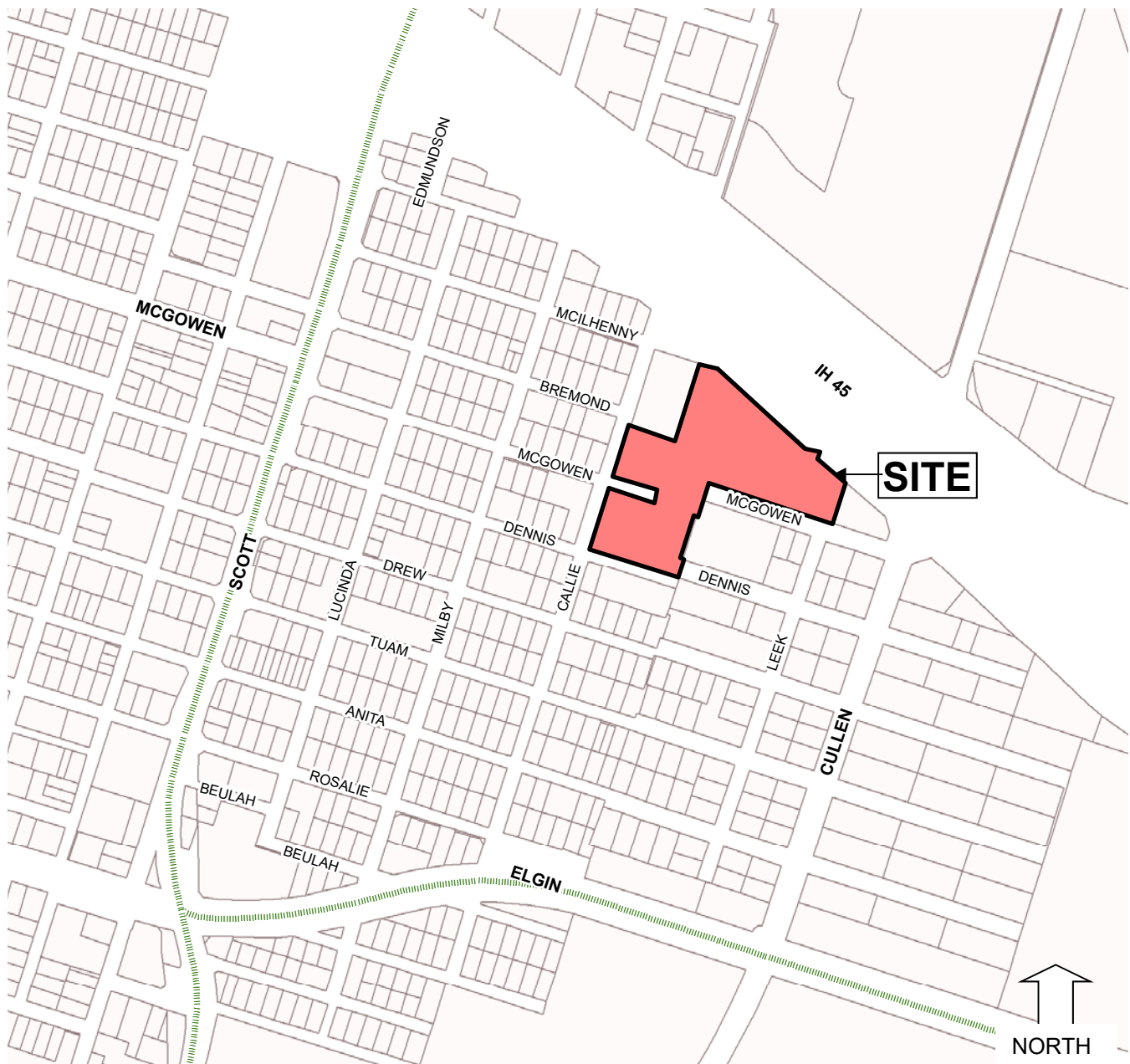
ITEM: 103

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Wholesale Electric Warehouse replat no 1

Applicant: Miller Survey Group



D – Variances

Site Location

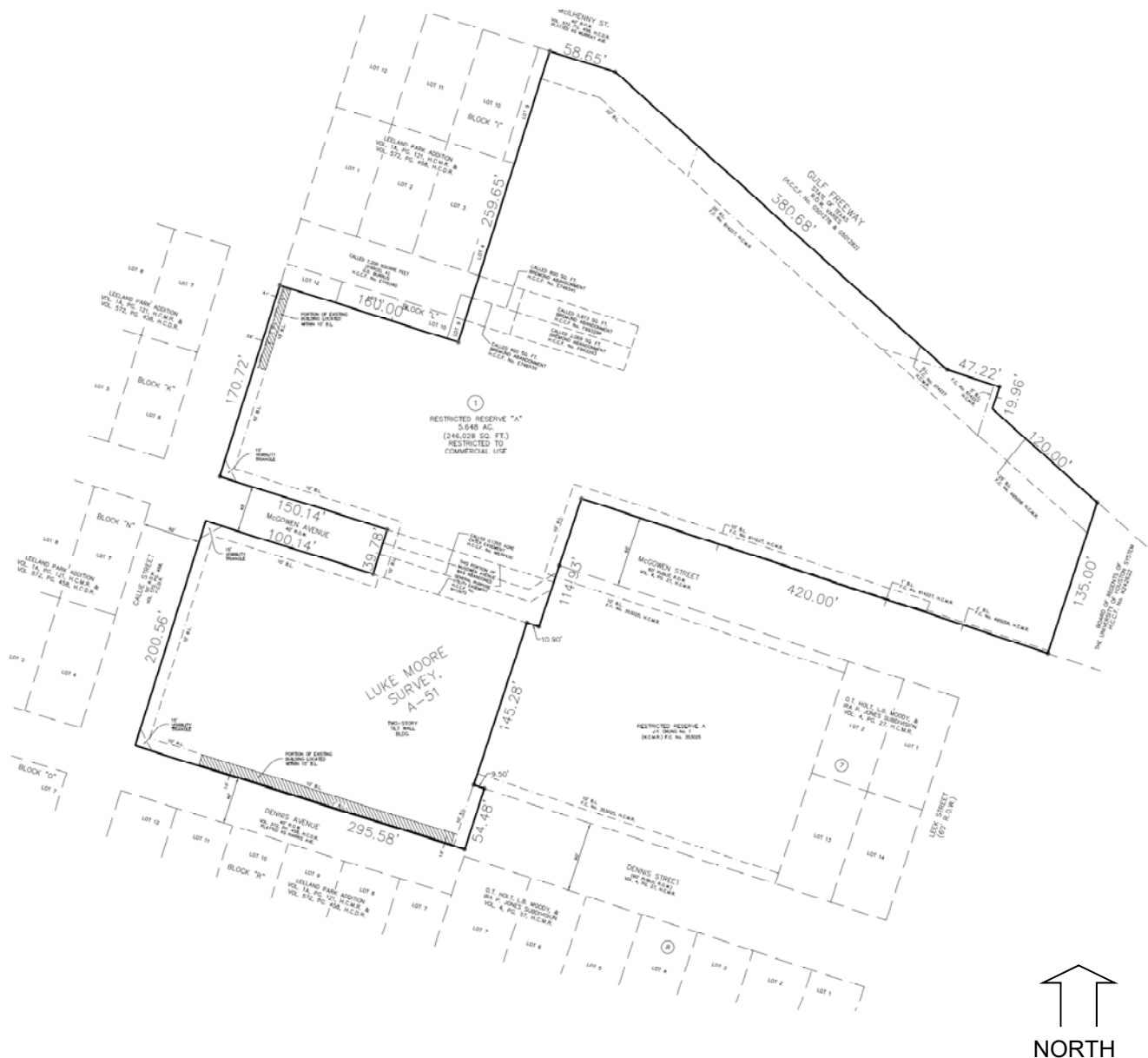
Houston Planning Commission ITEM: 103

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Wholesale Electric Warehouse replat no 1

Applicant: Miller Survey Group



D – Variances

Subdivision

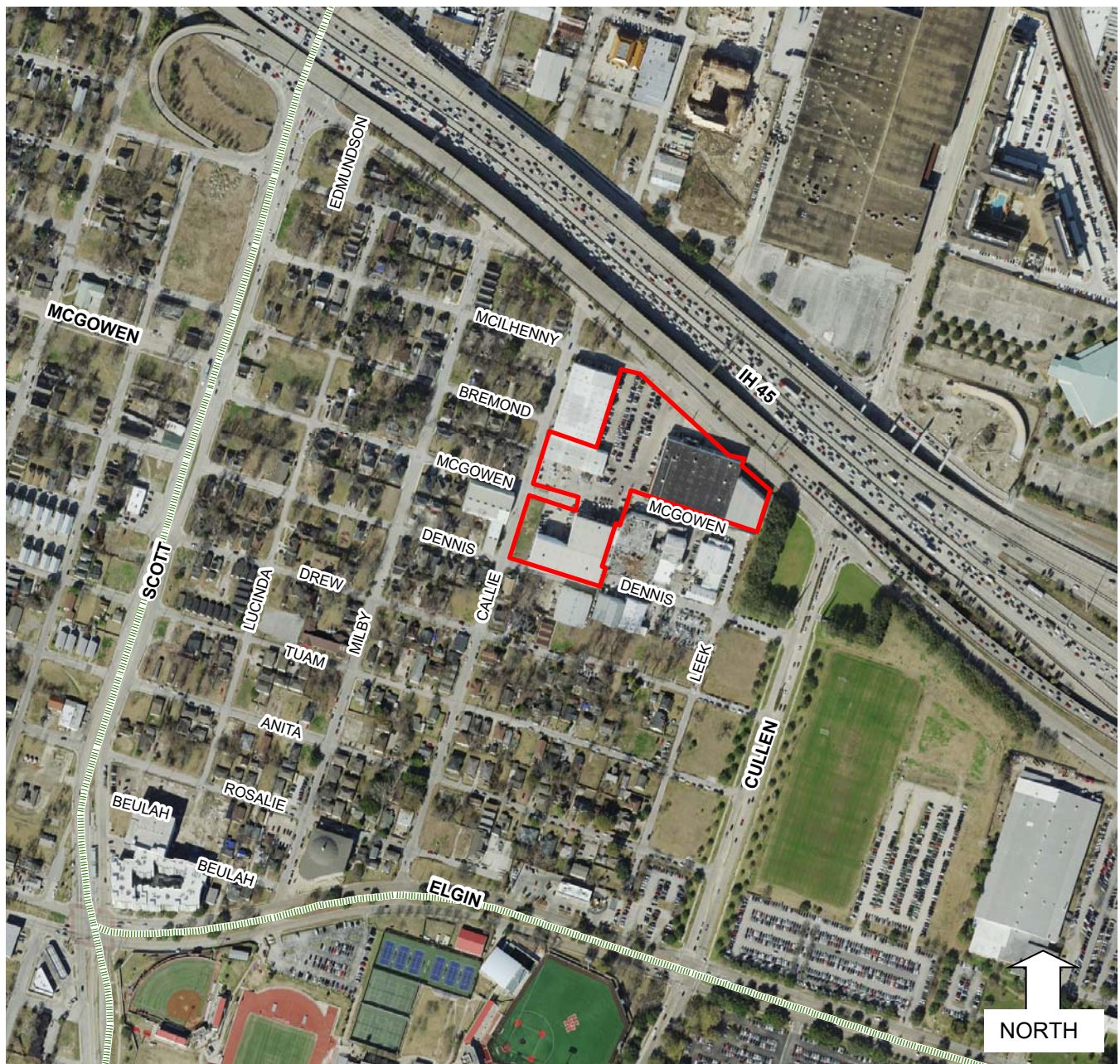
Houston Planning Commission **ITEM: 103**

Planning and Development Department

Meeting Date: 08/06/2020

Subdivision Name: Wholesale Electric Warehouse replat no 1

Applicant: Miller Survey Group



D – Variances

Aerial

KEYNOTES	
201	EXISTING BUILDING TO REMAIN - NOT IN SCOPE
202	PROPOSED 1,500 S.F. FREE ENGINEERED METAL BUILDING CANOPY - SEE QUAD 101

GENERAL SITE NOTES

REFER TO BOUNDARY SURVEY TO ESTABLISH PROPERTY LINES AND EASEMENTS.
 NO GROSS SLOPES SHALL EXCEED 1:50 (20% SLOPE) ON 1/4" PER FOOT IN ANY DIRECTION FOR ACCESSIBLE ROUTES.
 ALL CONCRETE AND PAVING IS EXISTING - NOT IN SCOPE OF WORK.
 NO DRIVEWAYS OR PARKING WILL BE MODIFIED.
SCOPE OF WORK
 THE SCOPE OF THIS PROJECT IS PROVIDE A NEW 1,500 S.F. EXTERIOR CANOPY ADJACENT TO AN EXISTING FREE ENGINEERED METAL BUILDING. THE CANOPY WILL BE USED TO PROTECT METAL COMBUSTIBLE PRODUCT FROM ADVERSE WEATHER CONDITIONS.



PROJECT NO. 19-001
 DATE ISSUED: 10/31/2019
 ISSUE FOR PERMIT

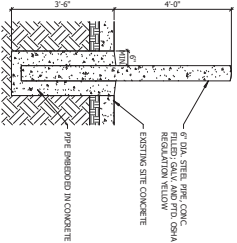
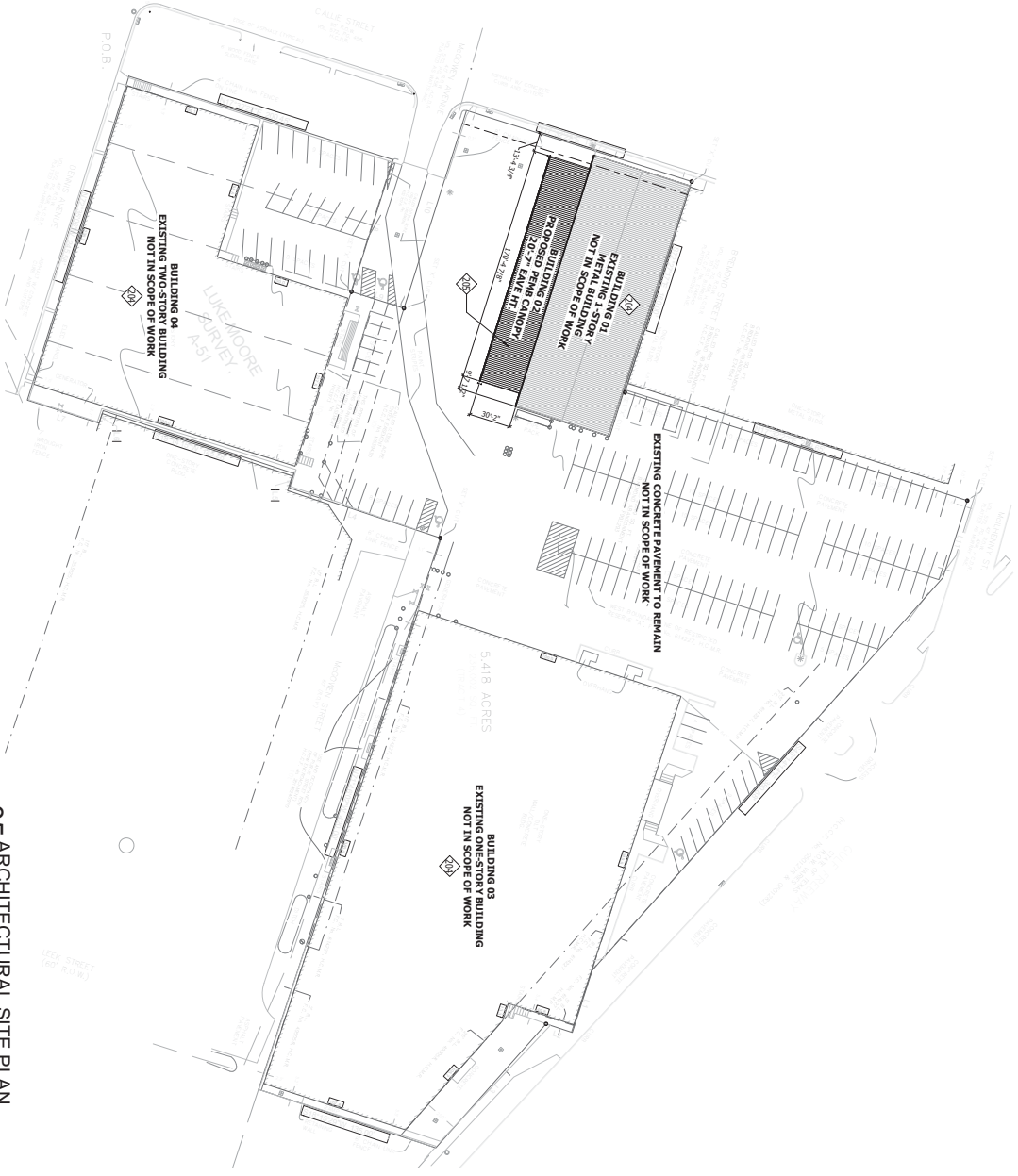
WHOLESALE ELECTRIC CANOPY ADDITION

Project Address:
 4040 Gulf Freeway
 Houston, Texas 77004



10/31/2019 12:59:34 PM

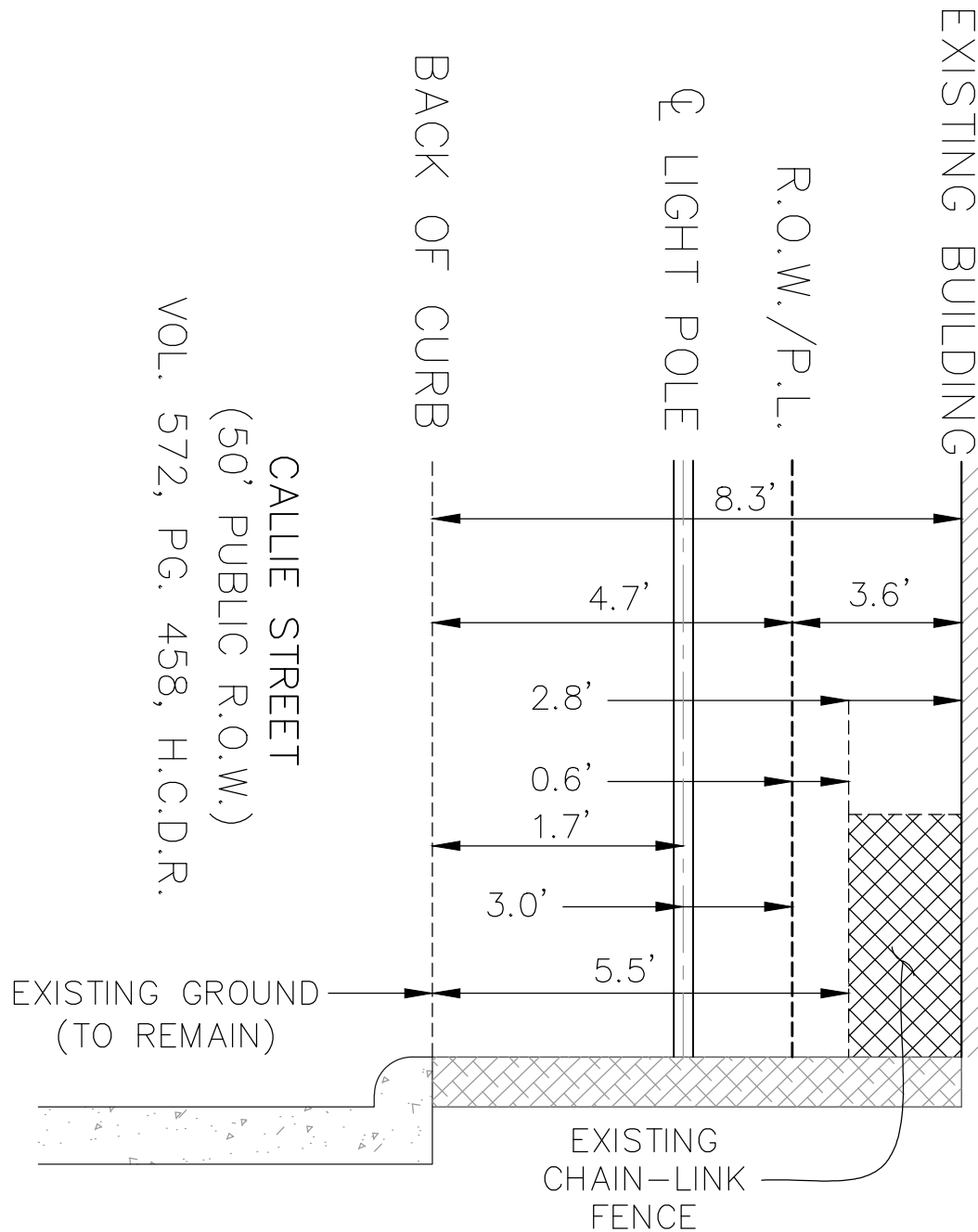
OVERALL SITE PLAN



05 ARCHITECTURAL SITE PLAN

01 BOLLARD DETAIL

SCALE: AS INDICATED
 Drawn By: NEB
 Checked By: NEB
 Plt Date: 10/31/2019 12:59:34 PM
 Project Number: 190026
 Sheet: **A1.02**



NOTES:

- DISTANCES SHOWN HEREON ARE THE RESULT OF AN ON THE GROUND SURVEY CONDUCTED BY MILLER SURVEY GROUP.

LEGEND

H.C.C.F. = HARRIS COUNTY CLERK'S FILE
 H.C.M.R. = HARRIS COUNTY MAP RECORDS
 F.C. = FILM CODE
 FND = FOUND
 No. = NUMBER
 IR = IRON ROD
 P.O.B. = POINT OF BEGINNING
 P.O.C. = POINT OF COMMENCEMENT
 R.O.W. = RIGHT-OF-WAY
 S.F. = SQUARE FEET
 PG. = PAGE
 VOL. = VOLUME
 ● = FOUND 5/8-INCH IRON ROD (UNLESS OTHERWISE NOTED)
 ● = ANGLE POINT

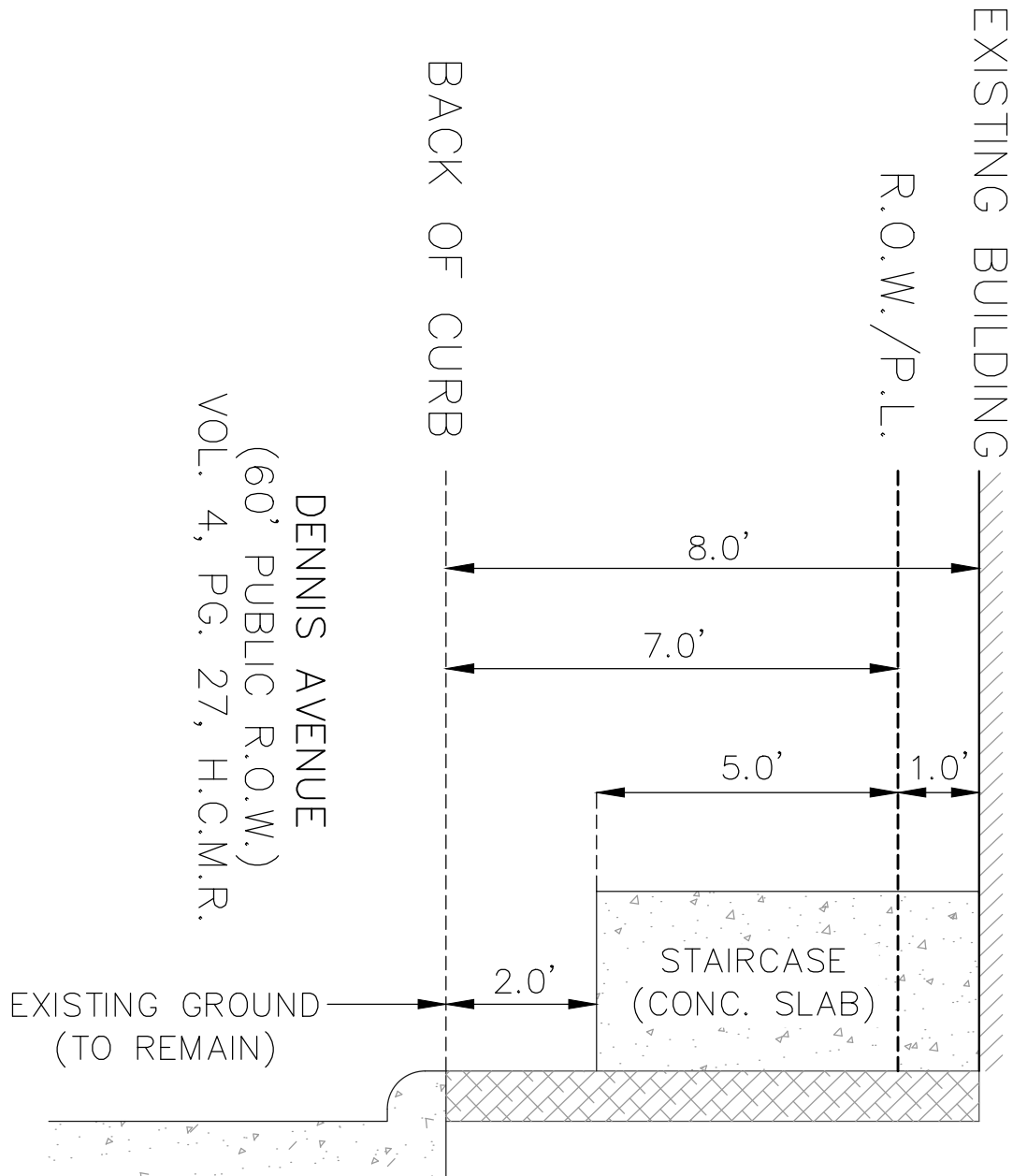
PROFILE CALLIE STREET

LOCATED IN
THE LUKE MOORE SURVEY, A-51 IN
HARRIS COUNTY, TEXAS

MILLER
SURVEY*GROUP

www.millersurvey.com
1760 WEST SAM HOUSTON PARKWAY NORTH ★ HOUSTON, TEXAS 77043
PHONE 713-413-1900 ★ FAX 713-413-1944
TEXAS FIRM REGISTRATION NO. 10047100

JOB NO.: 3095-PL	SCALE: N.T.S.	DATE: 07/23/2020	FIELD BOOK: N/A
DWG. NO.: 3095-CALLIE STREET	DRAWN BY: JRW	CHK. BY: CJQ	M&B No.: N/A



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 PG. = PAGE
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 ● = ANGLE POINT

PROFILE DENNIS AVENUE

LOCATED IN
THE LUKE MOORE SURVEY, A-51 IN
HARRIS COUNTY, TEXAS

MILLER
SURVEY*GROUP

www.millersurvey.com
1760 WEST SAM HOUSTON PARKWAY NORTH ★ HOUSTON, TEXAS 77043
PHONE 713-413-1900 ★ FAX 713-413-1944
TEXAS FIRM REGISTRATION NO. 10047100

JOB NO.: 3095-PL	SCALE: N.T.S.	DATE: 07/23/2020	FIELD BOOK: N/A
DWG. NO.: 3095-DENNIS AVE	DRAWN BY: JRW	CHK. BY: CJQ	M&B No.: N/A

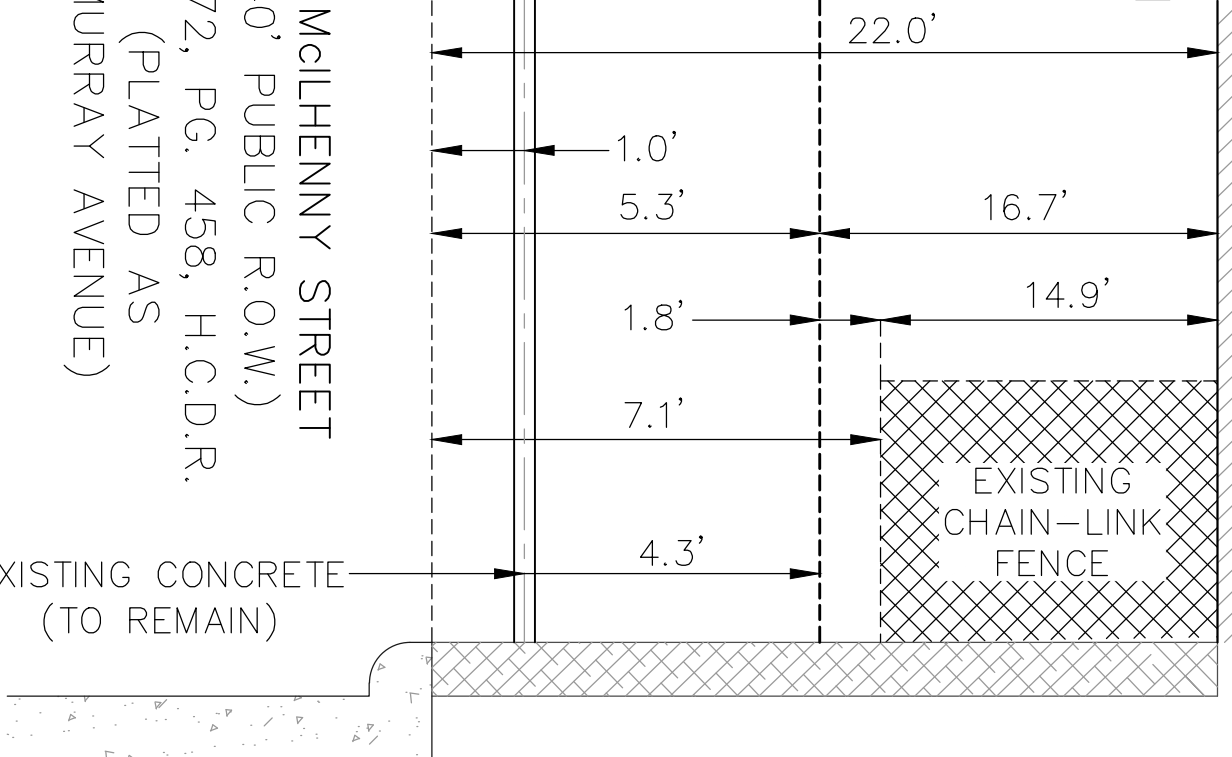
EXISTING BUILDING
(NOT LOCATED ON
SUBJECT
PROPERTY)

R.O.W./P.L.

POWER POLE
BACK OF CURB

McILHENNY STREET
(40' PUBLIC R.O.W.)
(PLATTED AS
VOL. 572, PG. 458, H.C.D.R.
MURRAY AVENUE)

EXISTING CONCRETE
(TO REMAIN)



NOTES:

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S.F. = SQUARE FEET
PG. = PAGE
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● = ANGLE POINT

PROFILE
McILHENNY STREET

LOCATED IN
THE LUKE MOORE SURVEY, A-51 IN
HARRIS COUNTY, TEXAS

MILLER
SURVEY*GROUP

www.millersurvey.com
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PHONE 713-413-1900 ★ FAX 713-413-1944
TEXAS FIRM REGISTRATION NO. 10047100

JOB NO.: 3095-PL	SCALE: N.T.S.	DATE: 07/23/2020	FIELD BOOK: N/A
DWG. NO.: 3095-MCILHENNY ST	DRAWN BY: JRW	CHK. BY: CJQ	M&B No.: N/A



Application Number: 2020-1126

Plat Name: Wholesale Electric Warehouse replat no 1

Applicant: Miller Survey Group

Date Submitted: 06/29/2020

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:

The property owner requests that McGowan Street (60' wide) not be extended. Owner also requests that a vehicular turnaround would not be required on this property.

Chapter 42 Section: 42-134

Chapter 42 Reference:

42-134 Street Extension - (a) A public street that terminates at the boundary of a plat previously approved by the commission without means of a vehicular turnaround shall be extended into the adjacent property at the time the adjacent property is platted

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;

McGowen Street is currently not used for access to the property. The property is an existing commercial warehouse which has been in operation since the mid-1970's. The proposed improvement to the property is a 30'x167' metal canopy adjacent to the existing building located on Callie Street. The proposed structure will be set back from the property line 13.4' and set back from the existing back of curb 21.1'. The rest of the property will remain in its current configuration. The westerly terminus of McGowen Street serves one adjoining commercial property, limiting the amount of traffic on the street. The proposed plat does not take access from McGowen Street at this terminus. Any commercial vehicles associated with the adjoining commercial property make use of an existing north-south driveway across the adjoining property to turn around. In addition, a portion of McGowen Avenue to the west of the terminus was abandoned by H.C.C.F. No. N113973, making the connection to existing McGowen Avenue impossible.

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

Strict application of the ordinance would require the land owner to dedicate a public street that would not provide vehicular or pedestrian access. None of the surrounding properties need to take access from an additional street.

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

The intent of the chapter is to provide safe and effective traffic circulation. A street dedication on the property would not improve traffic circulation.

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

Dedication of a street extension would serve no purpose to the public. Allowing the land owner to develop their land without a through street would not be injurious to public health, safety or welfare.

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

Justification for granting the variance is based solely on the existing conditions of the property and the surrounding development. The configuration of the adjoining properties negate the need for a street dedication through the property.



Application Number: 2020-1126

Plat Name: Wholesale Electric Warehouse replat no 1

Applicant: Miller Survey Group

Date Submitted: 06/29/2020

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:

The property owner requests that Dennis Street (60' wide) not be extended. Owner also requests that a vehicular turnaround would not be required on this property.

Chapter 42 Section: 42-134

Chapter 42 Reference:

42-134 Street Extension - (a) A public street that terminates at the boundary of a plat previously approved by the commission without means of a vehicular turnaround shall be extended into the adjacent property at the time the adjacent property is platted

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;

Dennis Street is currently not used for access to the property. The westerly terminus of Dennis Street lies 12.7' east of an existing building. The property is an existing commercial warehouse which has been in operation since the mid-1970's. The proposed improvement to the property is a 30'x167' metal canopy adjacent to the existing building located on Callie Street. The proposed structure will be set back from the property line 13.4' and set back from the existing back of curb 21.1'. The rest of the property will remain in its current configuration. The westerly terminus of Dennis Street serves two adjoining commercial properties, limiting the amount of traffic on the street. The proposed plat does not take access from Dennis Street at this terminus. Any commercial vehicles associated with the adjoining commercial property make use of an existing north-south driveway across the adjoining property to turn around. An existing building is located on the proposed plat 12.7 feet from the westerly terminus of Dennis Street making dedication and construction of a vehicular turnaround impossible.

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

Strict application of the ordinance would require the land owner to dedicate a public street that would not provide vehicular or pedestrian access. None of the surrounding properties need to take access from an additional street.

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

The intent of the chapter is to provide safe and effective traffic circulation. A street dedication on the property would not improve traffic circulation.

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

Dedication of a street extension would serve no purpose to the public. Allowing the land owner to develop their land without a through street would not be injurious to public health, safety or welfare.

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

Justification for granting the variance is based solely on the existing conditions of the property and the surrounding development. The configuration of the adjoining properties negate the need for a street dedication through the property. And the existing building on the property makes dedication and construction of a vehicular turnaround improbable.



Application Number: 2020-1126

Plat Name: Wholesale Electric Warehouse replat no 1

Applicant: Miller Survey Group

Date Submitted: 06/29/2020

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:

The property owner requests a dual building line on the north side of Dennis Avenue.

Chapter 42 Section: 42-155

Chapter 42 Reference:

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

Statement of Facts

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

(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 property is an existing commercial warehouse which has been in operation since the mid-1970's. The proposed improvement to the property is a 30'x167' metal canopy adjacent to the existing building located on Callie Street. The proposed structure will be set back from the property line 13.4' and set back from the existing back of curb 21.1'. The rest of the property will remain in its current configuration. The existing building on Dennis Avenue is located 1' from the property line and 8' from of the back of curb. There are also existing stairwells located between the back of curb and building. No changes or improvements are proposed for this area of the property. Dennis Avenue is a dedicated 40-foot wide right-of-way. An existing building on the property is located 1-foot from the north right-of-way line of Dennis Avenue making dedication of a 10-foot building line impossible. Owner is seeking a variance to provide a dual building line in the area of existing building.

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

Strict application of the ordinance would require the land owner to dedicate a building line over an existing building

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

The intent of the chapter is to provide a 10-foot building setback where possible. Dual building line will protect the intent of the chapter by requiring any new building to maintain a 10-foot building setback

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

Allowing a dual building line will not be injurious to the public health, safety or welfare. Future development on the property would be bound by the 10-foot building setback line.

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

Justification for granting the variance is based solely on the existing conditions of the property and the surrounding development. The existing building on the property makes dedication of a dual building line necessary.



Application Number: 2020-1126

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Applicant: Miller Survey Group

Date Submitted: 06/29/2020

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:

The property owner requests that they not be required to dedicate to widening of Dennis Avenue (40' wide).

Chapter 42 Section: 42-121

Chapter 42 Reference:

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

Statement of Facts

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

(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 property is an existing commercial warehouse which has been in operation since the mid-1970's. The proposed improvement to the property is a 30'x167' metal canopy adjacent to the existing building located on Callie Street. The proposed structure will be set back from the property line 13.4' and set back from the existing back of curb 21.1'. The rest of the property will remain in its current configuration. The existing building on Dennis Avenue is located 1' from the property line and 8' from the back of curb. There are also existing stairwells located between the back of curb and building. No changes or improvements are proposed for this area of the property. Dennis Avenue is a dedicated 40-foot wide right-of-way. An existing building on the property is located 1-foot from the north right-of-way line of Dennis Avenue making dedication of right-of-way impossible. The proposed development will not contribute to a significant increase in traffic on the street.

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

Strict application of the ordinance would require the land owner to dedicate right-of-way over an existing building

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

The intent of the chapter is to provide safe and effective traffic circulation. The proposed development will not contribute to a significant increase in traffic on the street

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

Dedication of additional right-of-way is impossible due to the unique features existing on the property. Allowing the land owner to plat their property without a right-of-way dedication for widening would not be injurious to public health, safety or welfare because the proposed development will not contribute to a significant increase in traffic on the street.

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

Justification for granting the variance is based solely on the existing conditions of the property and the surrounding development. The existing building on the property makes dedication of right-of-way for widening impossible.



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Applicant: Miller Survey Group

Date Submitted: 06/29/2020

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

Specific Variance is being sought and extent of variance:

The property owner requests that they not be required to dedicate to widening of McGowan Avenue (40' wide).

Chapter 42 Section: 42-121

Chapter 42 Reference:

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

Statement of Facts

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

(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 property is an existing commercial warehouse which has been in operation since the mid-1970's. The proposed improvement to the property is a 30'x167' metal canopy adjacent to the existing building located on Callie Street. The proposed structure will be set back from the property line 13.4' and set back from the existing back of curb 21.1'. The rest of the property will remain in its current configuration. McGowan Avenue is a dedicated 40-foot wide public right-of-way. The portion of McGowan Avenue east of the intersection with Callie Street is approximately 150-feet long. It is used exclusively as access to the property belonging to the owner of this development – no other property owners take access from this portion of McGowan Avenue. In addition, the proposed development will not contribute to a significant increase in traffic on the street. No changes or improvements are proposed for this area of the property.

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

Strict application of the ordinance would require the land owner to dedicate right-of-way that would not benefit the public since the public is not using this portion of the street.

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

The intent of the chapter is to provide safe and effective traffic circulation. The proposed development will not contribute to a significant increase in traffic on the street. The street is currently only used for accessing the applicant's property and no adjoining properties will be impacted.

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

Allowing the applicant to plat their property without a right-of-way dedication for widening would not be injurious to public health, safety or welfare because the proposed development will not contribute to a significant increase in traffic on the street. The street is used exclusively to access the applicant's property and no properties take access from that street.

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

Justification for granting the variance is based solely on the existing conditions of the property and the surrounding development. The existing conditions of the property make dedicating additional right-of-way unnecessary.



Application Number: 2020-1126

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Applicant: Miller Survey Group

Date Submitted: 06/29/2020

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

Specific Variance is being sought and extent of variance:

The property owner requests that they not be required to dedicate to widening of McIlhenny Street (40' wide).

Chapter 42 Section: 42-121

Chapter 42 Reference:

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

Statement of Facts

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

(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 property owner requests that they not be required to dedicate to widening of McIlhenny Street (40' wide). The property is an existing commercial warehouse which has been in operation since the mid-1970's. The proposed improvement to the property is a 30'x167' metal canopy adjacent to the existing building located on Callie Street. The proposed structure will be set back from the property line 13.4' and set back from the existing back of curb 21.1'. The rest of the property will remain in its current configuration. McIlhenny Street is a dedicated 40-foot wide public right-of-way. The portion of between the intersection with Callie Street and IH-45 Feeder Road is approximately 215-feet long. There are two properties taking access to McIlhenny Street on this block, including the applicant's property. The north side of McIlhenny Street is a part of IH-45 Feeder Road. In addition, the proposed development will not contribute to a significant increase in traffic on the street. No changes or improvements are proposed for this area of the property.

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

Strict application of the ordinance would require the land owner to dedicate right-of-way that would not benefit the public. The north right-of-way line of McIlhenny Street is incorporated into IH-45 Feeder Road.

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

The intent of the chapter is to provide safe and effective traffic circulation. The proposed development will not contribute to a significant increase in traffic on the street. Widening on the south side of the street is unnecessary since the north right-of-way is part of IH-45 Feeder Road.

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

Allowing the applicant to plat their property without a right-of-way dedication for widening would not be injurious to public health, safety or welfare because the proposed development will not contribute to a significant increase in traffic on the street.

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

Justification for granting the variance is based solely on the existing conditions of the property and the surrounding development. The existing conditions of the property make dedicating additional right-of-way unnecessary.

CITY OF HOUSTON

HOUSTON PLANNING COMMISSION
PLANNING & DEVELOPMENT DEPARTMENT

Planning Commission
Meeting Date: 08/06/20

ITEM: 118

Applicant: ORLANDO AND JAQUELINE JIMENEZ

Contact Person: JAQUELINE JIMENEZ

Location	File No.	Zip	Lamb. No.	Key Map	City/ETJ
	20-1538	77386	5471	294K	ETJ
NORTH OF: RAYFORD RD WEST OF: TOWNSEND RD					

ADDRESS: 27811 N Ossineke Drive

ACREAGE:

LEGAL DESCRIPTION:

LOT NINE (9), IN BLOCK (6), OF BENDERS LANDING ESTATES, SEC 4, A SUBDIVISION IN MONTGOMERY COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN CABINET Z, SHEET 346 OF THE MAP AND/OR PLAT RECORDS OF 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:

CERTIFICATE OF COMPLIANCE



Houston Planning Commission

VARIANCE REQUEST APPLICATION

An applicant seeking a variance and/or special exception to the Planning Standards of Chapter 42 of the City of Houston's Code of Ordinances must complete the following application and submit an electronic copy of the Microsoft Word document to planning.variances@houstontx.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.

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
3116 Columbia	19129643	77018	5359A	453N	H

HCAD ACCOUNT NUMBER(S): 021-112-000-0001

PROPERTY LEGAL DESCRIPTION: Lots 1 & 2, Block 42, Independence Heights Annex

PROPERTY OWNER OF RECORD: Matthews Investments Southwest Inc. XX

ACREAGE (SQUARE FEET): 0.138 acres (6000 sf)

WIDTH OF RIGHTS-OF-WAY: Columbia Street – 50' ROW & East 32nd Street – 50' ROW

EXISTING PAVING SECTION(S): Columbia – 16.7' and East 22nd – 18.1'

OFF-STREET PARKING REQUIREMENT: 2 spaces

OFF-STREET PARKING PROVIDED: 2 spaces

LANDSCAPING REQUIREMENTS: 2 trees

LANDSCAPING PROVIDED: 4 trees

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

PROPOSED STRUCTURE(S) [TYPE; SQ. FT.]: Living – 2149 sf & Total 2730 sf

PURPOSE OF VARIANCE REQUEST: A variance is requested for a reduced 3-foot building line on Columbia Street

CHAPTER 42 REFERENCE(S): Sec. 42-150. – 20' Building line requirement.

DEVELOPMENT PLAT VARIANCE



Houston Planning Commission

APPLICANT'S STATEMENT OF FACTS

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

Independence Heights Annex Addition was platted in 1910 with lots 25' width. The subject property is located at the corner of Columbia and E. 32nd Street. The owner is proposing to construct 1- 2-story home with 2149 sf living space and total 2720 sf. House fronts on E 32nd with garage access from Columbia Street.

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.

- (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**

Columbia and East 32nd are both 50' ROW with open ditch. The proposed development is on a corner lot with 25' frontage on E. 32nd Street. Adherence to the 10' building line and 17' garage building line would make the lot infeasible for a single-family dwelling.

- (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;**

Na

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

The original plat was recorded prior to Chapter 42 with 25' wide lots. A 10' building line along Columbia would consume almost 42% of the property.

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

Columbia Street – the distance from the edge of paving to the property line is 16.1' with 7.8' ditch and E. 32nd – distance from edge of paving to property line is 16.3' with 7.7' open ditch. The length of the lot is 120'. A 3-foot building line on Columbia will create 19.1' from the edge of paving. The garage access on Columbia complies with the building code for minimum 20' curb cut from corner.

DEVELOPMENT PLAT VARIANCE



Houston Planning Commission

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

The proposed development has 63% impervious coverage. Two existing Live Oaks in ROW will be preserved. Two new Live Oaks will be planted.

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

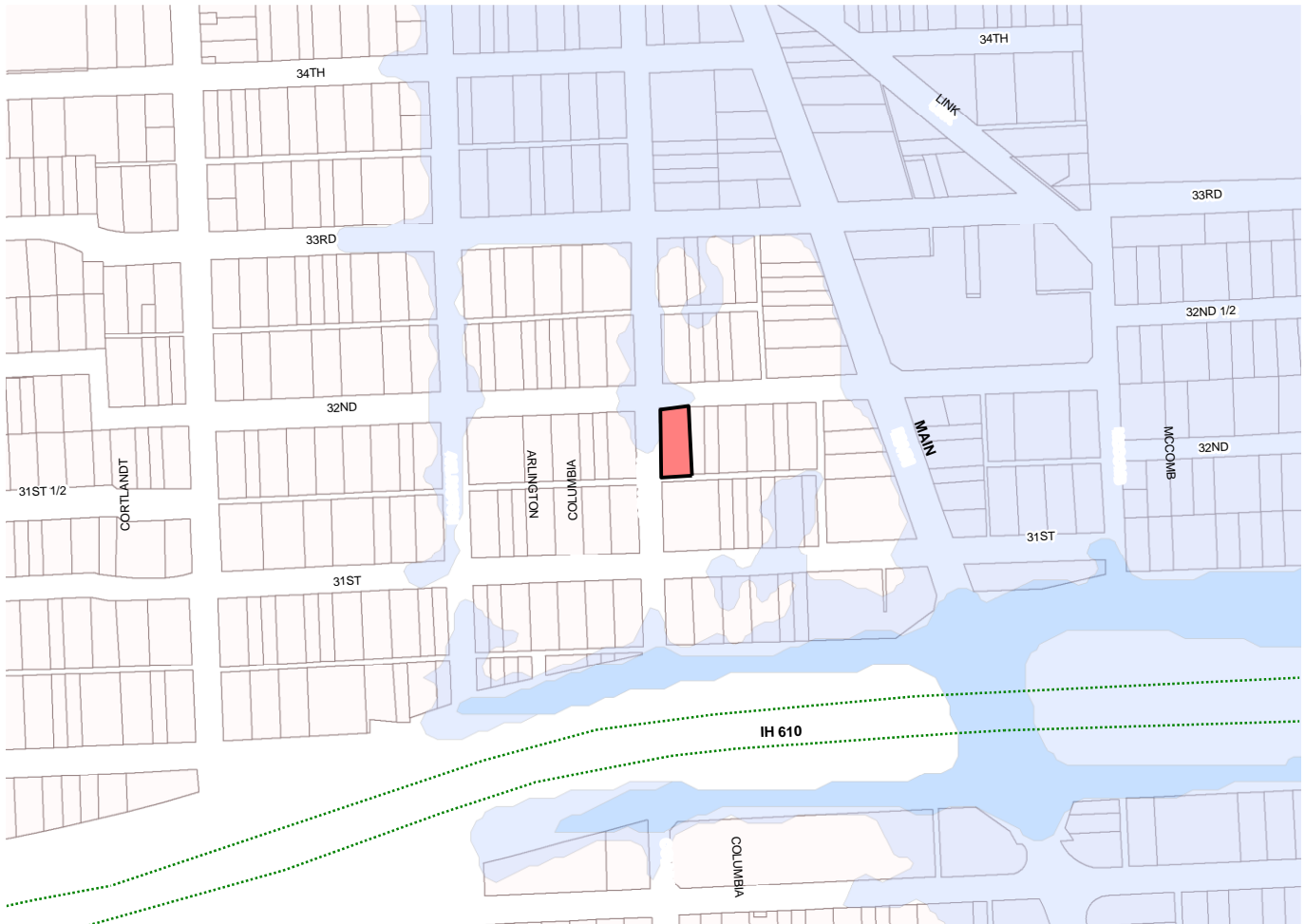
The reduced building line on Columbia is the only viable solution for a home.

DEVELOPMENT PLAT VARIANCE



Houston Planning Commission

Location Map



DEVELOPMENT PLAT VARIANCE



PLANNING &
DEVELOPMENT
DEPARTMENT

ITEM: 119

Meeting Date: 08/06/2020

Houston Planning Commission

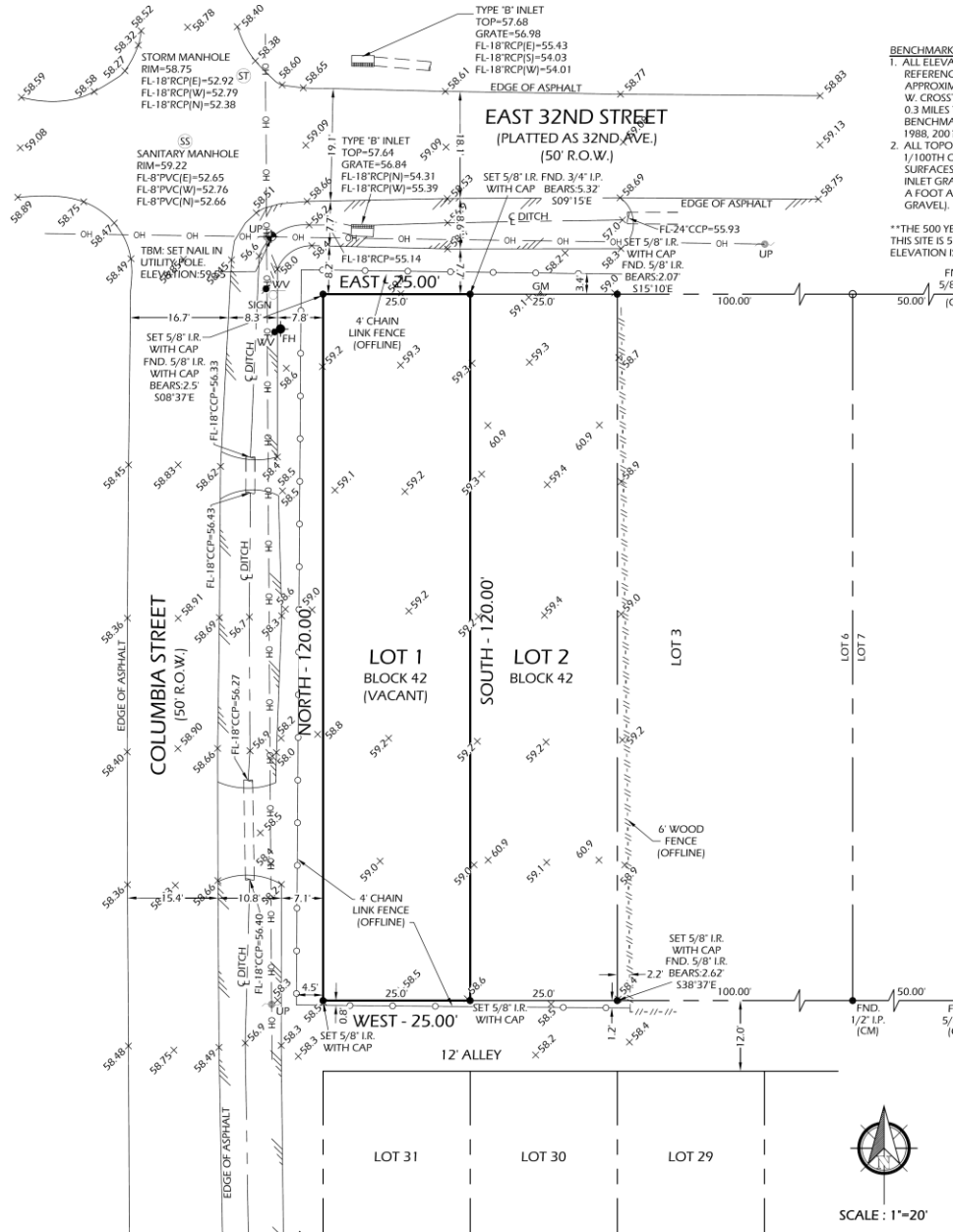
Aerial



DEVELOPMENT PLAT VARIANCE



Survey



DEVELOPMENT PLAT VARIANCE



Houston Planning Commission

Elevations



DEVELOPMENT PLAT VARIANCE



Houston Planning Commission

VARIANCE REQUEST APPLICATION

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APPLICANT COMPANY	CONTACT PERSON	PHONE NUMBER	EMAIL ADDRESS		
Ashwood Designs	Ross Huthmacher	281-435-3696	ross@ashwooddesigns.com		
PROPERTY ADDRESS	FILE NUMBER	ZIP CODE	LAMBERT	KEY MAP	DISTRICT
3854 Durness Way	20038323	77025		532J	C

HCAD ACCOUNT NUMBER(S): 0720070310027
PROPERTY LEGAL DESCRIPTION: TR 27 BLK 29 Braes Heights Sec 9
PROPERTY OWNER OF RECORD: Watts, Joel Watts, Blake
ACREAGE (SQUARE FEET): 8,125
WIDTH OF RIGHTS-OF-WAY: 90' Stella Link Road and 60' Durness Way
EXISTING PAVING SECTION(S): 24.2 Stella Link Road northbound lanes
OFF-STREET PARKING REQUIREMENT: 2 spaces
OFF-STREET PARKING PROVIDED: 3 garage 1 driveway
LANDSCAPING REQUIREMENTS: 2 trees
LANDSCAPING PROVIDED: Complies

EXISTING STRUCTURE(S) [TYPE; SQ. FT.]: 1,743 sf single-family residence
PROPOSED STRUCTURE(S) [TYPE; SQ. FT.]: 5,569 sf single-family residence

PURPOSE OF VARIANCE REQUEST: To encroach 25' building line along major thoroughfare and to take access from a major thoroughfare

DEVELOPMENT PLAT VARIANCE



PLANNING &
DEVELOPMENT
DEPARTMENT

ITEM: 120

Meeting Date: 08/06/2020

Houston Planning Commission

CHAPTER 42 REFERENCE(S): Chapter 42 42-152(a) Building line requirement along major thoroughfares.
Sec 42-150 Building Line Requirement. Chapter 42-188 (b) a single-family residence shall not have direct vehicular access to a major thoroughfare.

DEVELOPMENT PLAT VARIANCE



Houston Planning Commission

APPLICANT'S STATEMENT OF FACTS

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

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.

- (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**

Regarding the building line: The planned home would house four generations of the family, necessitating the space planned for adequate comfort and accessibility of all ages. As the property is in the flood plain, and we are elevating the living space, the home as designed is not only reasonable use of the land; in addition, as the lending appraiser stated upon review of our plans, it is the best and highest use of the property for any larger family. If we were not able to build the home as planned, we (or any other multigenerational household) would not be able to care for our aging family at home while providing adequate space for our growing children. In addition, due to the position of the lot on a main thoroughfare, building a home that left the main yard space on the west side of the lot, along the busy street, would produce noise and safety concerns that we mitigate by placing the yard at the north side of the property, thus the house occupies the west side of the lot.

Regarding the driveway: Driving on Stella Link, we note the majority of homes (26 of 29, or 89.6%) have driveways off the main thoroughfare, including recent construction. Our HOA requires the driveway of corner lots to be on the west side of the main building or along the rear of the lot from the side street, and our current driveway is in this position. The planned home is centered around the position of the garage in this way. Changing our driveway now would pretty much uproot our entire project.

- (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;**

Regarding the building line: Strict application of the requirements would require building a narrow home with inadequate square footage in the neighborhood, while other homes in a similar position have been granted the variance to build similar homes of a size and shape as our proposed home, making the property and potentially the entire street less desirable to families due to inconsistencies in appearance and size.

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Regarding the driveway: Strict application of the requirements would require major changes to our plan. If we did not start entirely from scratch, and instead paved from Durness Way along the west side of the lot, if there even is room, this change would mean cutting down two trees, one of which is an established oak which provides shade and character to the neighborhood. We have taken great care to protect the mature oak trees in all iterations of the plan. This corner lot also has a stop sign and lamp post on the southwest side, and multiple utility poles on the west side, all of which would be compromised. In addition, there is a storm drain on the southwest corner of Durness which would need to be considered with any change in our plan. Making the turn from Stella Link coming south to Durness Way into our driveway would require complex and potentially unsafe maneuvering as well.

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

Regarding the building line: While our particular circumstances include a voluntary commitment to keeping our family together to age in place (as opposed to alternate living arrangements for our aging family members), the circumstances could apply to any larger family seeking housing in the area, especially anyone building on the property. The home on the lot we purchased and lived in prior to Harvey was not required to be altered when the current building line requirement was imposed.

Regarding the driveway: We did not impose the hardship of these existing structures that we took into account in planning the home structure: stop sign, lamp post, trees, storm drain, and utility poles.

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

Regarding the building line and the driveway: There still will be a reasonable area for the right of way should Stella Link need to be widened, and our plans would be consistent with the other properties along Stella Link.

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

Regarding the building line: I expect that our planned home occupying this space will not injure or bother anyone, just as the other homes on Stella Link presently do not pose a threat to anyone's health, safety, or welfare.

Regarding the driveway: We completely understand the idea that access to residential properties from a main thoroughfare could present a safety concern, mostly with regard to backing onto a busy street. During our time in the home with the driveway in its present position, we took great care while entering and exiting the driveway to observe pedestrians, bicyclists, and of course, cars. In planning the future residence, we hope to incorporate space for turning around by creating gravel areas to either side of the driveway closest to the house for this purpose to address this safety concern. Certainly merging onto a busy street head on is safer than backing onto it. In addition, our previous home had a fence along the west side; we plan NOT

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to have a fence along the west side of the property specifically to avoid the visual obstruction it creates while accessing Stella Link.

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

As above, the justification for the variance is for many reasons that are not economic in nature. Our request is based on the need for the safe living environment for several generations as well as consistency of appearance and size with the surrounding area.

Our home at 3854 Durness Way flooded during hurricane Harvey. In the 2 years and 10 months since then, we have been trying to get back to our neighborhood. It has been a painfully slow process, subject to changing rules, and we have altered our plans several times to comply with HOA and City codes. We take pride in the property, in the neighborhood, and in the City of Houston, and we commit to maintain a safe, stable space as long as we occupy the home. Given the life expectancy for humans in 2020, we expect this to be at least 40 more years and intend to maintain our health such that we exceed that.

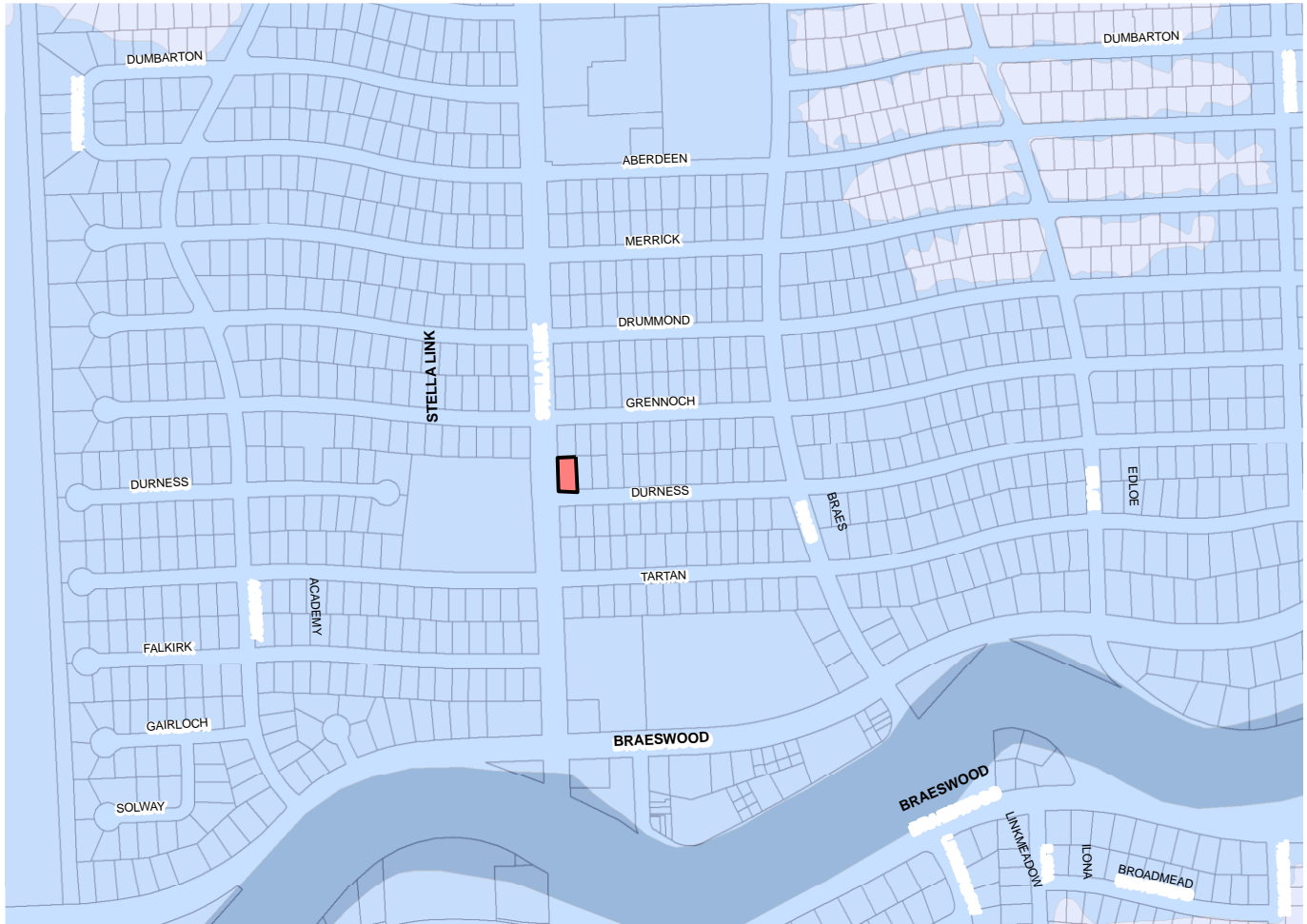
Please, if there is any way we can build our home as planned, I humbly request that we be afforded the same opportunity that our neighbors have had that maintains consistency in the area and allows us reasonable use of the property.

DEVELOPMENT PLAT VARIANCE



Houston Planning Commission

Location Map



DEVELOPMENT PLAT VARIANCE



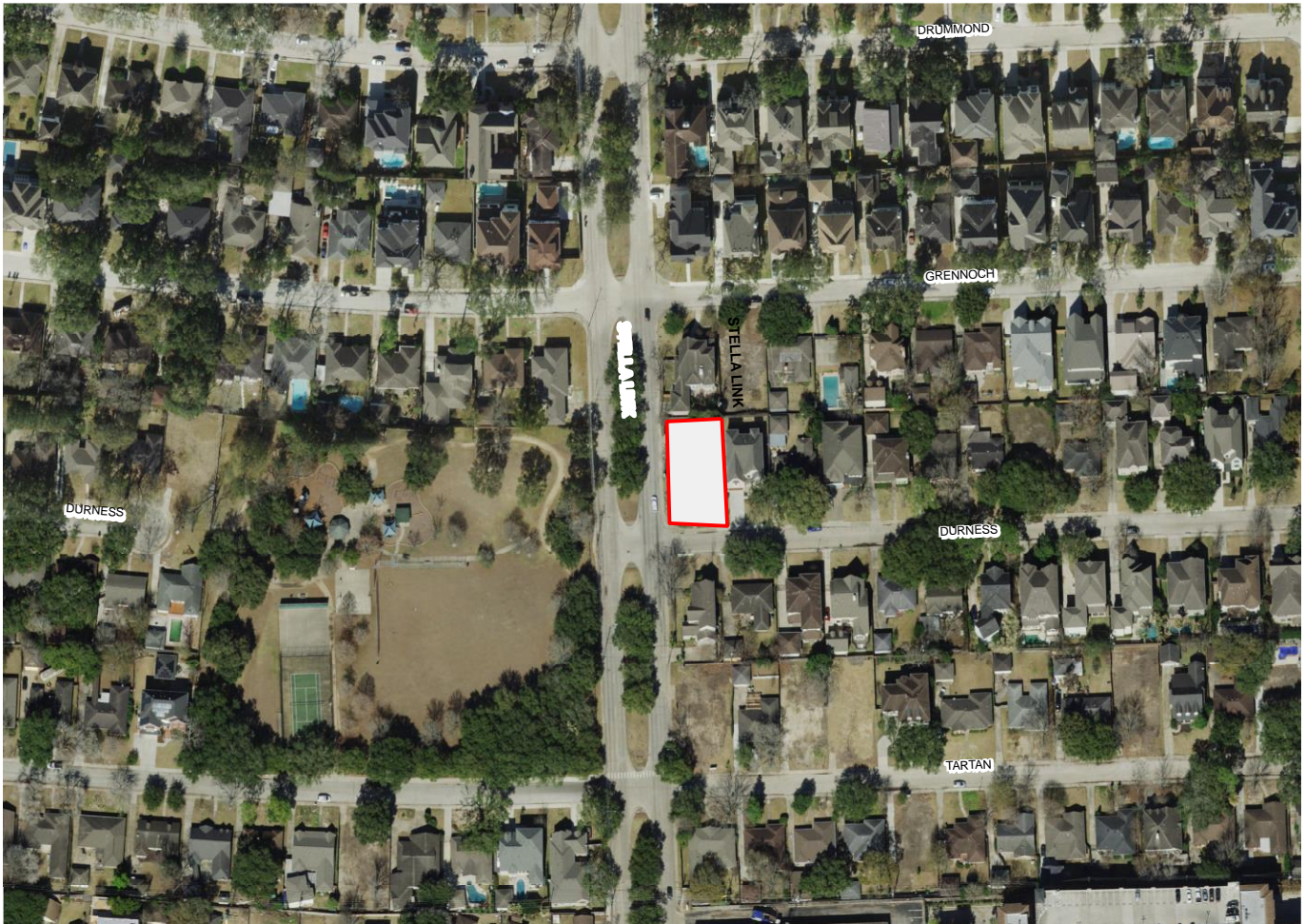
PLANNING &
DEVELOPMENT
DEPARTMENT

ITEM: 120

Meeting Date: 08/06/2020

Houston Planning Commission

Aerial



DEVELOPMENT PLAT VARIANCE

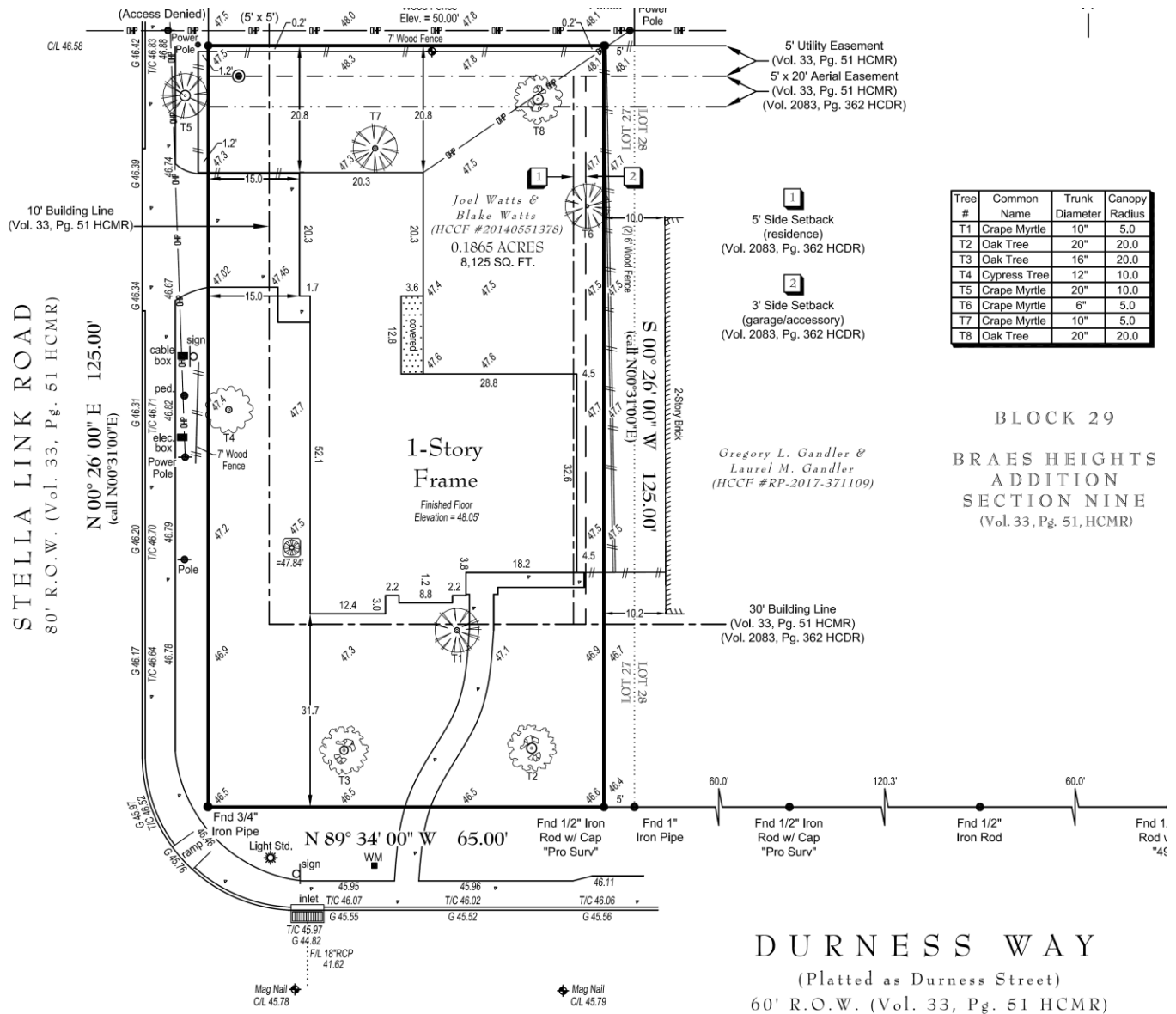


Houston Planning Commission

ITEM: 120

Meeting Date: 08/06/2020

Survey



DEVELOPMENT PLAT VARIANCE



Houston Planning Commission

Elevations

NOTE: FOR ADDITIONAL INFORMATION RE: 1A3.0
2 WEST ELEVATION
1/4" = 1'-0"
RE: 1A2.0



NOTE: FOR ADDITIONAL INFORMATION RE: 1A3.0
1 SOUTH ELEVATION
1/4" = 1'-0"
RE: 1A2.0



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 3rd floor prior to 11:00am on the submittal dates adopted by the Houston Planning Commission. For complete submittal requirements, please visit the City of Houston Planning & Development Department website at www.houstonplanning.com.

APPLICANT COMPANY	CONTACT PERSON	PHONE NUMBER	EMAIL ADDRESS		
Avenue CDC	Robert Fiederlein Andrew Colopy (architect)	713-864-8099 646-369-3963	robertf@avenuecdc.org colopy@rice.edu		
PROPERTY ADDRESS	FILE NUMBER	ZIP CODE	LAMBERT	KEY MAP	DISTRICT
1914 Summer Street	20055965	77007	5358	493F	H

HCAD ACCOUNT NUMBER(S):	0051380000002
PROPERTY LEGAL DESCRIPTION:	Lot 2, Block 314 Shearn
PROPERTY OWNER OF RECORD:	Avenue Community Development Corporation
ACREAGE (SQUARE FEET):	5,000 square feet
WIDTH OF RIGHTS-OF-WAY:	Summer Street (70 feet)
EXISTING PAVING SECTION(S):	Summer Street (19 feet)
OFF-STREET PARKING REQUIREMENT:	3 (2 for existing dwelling, 1 additional for proposed unit)
OFF-STREET PARKING PROVIDED:	2 spaces
LANDSCAPING REQUIREMENTS:	1 tree
EXISTING STRUCTURE(S) [SQ. FT.]:	1,442 square feet
PROPOSED STRUCTURE(S) [SQ. FT.]:	519 square feet

PURPOSE OF VARIANCE REQUEST: To allow 2 off-street parking spaces in lieu of the ordinance-required 3 parking spaces for the addition of a secondary dwelling unit to a single-family residential lot.

CHAPTER 26 REFERENCE(S): 26-492 Class 2(b) Single-family residential or manufactured home. 2.0 parking spaces for each dwelling unit, except that a secondary dwelling unit not larger than 900 square feet of gross floor area shall provide 1.0 parking space.

26-582(c) A parking space shall not be in tandem unless the tandem parking space is reserved for use by occupants of the same residential unit to which the space is in tandem.

OFF-STREET PARKING VARIANCE



Houston Planning Commission

APPLICANT STATEMENT OF FACTS

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

This variance application requests that a single, additional, non-tandem, off-street parking space not be required with the construction of a new accessory or secondary dwelling at 1914 Summer Street.

The property is a 5,000 square foot lot with an existing, 1,442 square foot, one-story bungalow from 1930. The existing site conditions include a driveway along its eastern edge, an oak tree in the front yard, and a ditch, power pole and cable stay along the street. The property is also a contributing structure to the High First Ward Historic District. No changes or alternation to the existing dwelling or street frontage are planned with the exception of an additional tree to be planted within the right-of-way.

The proposed project would construct a modest, 519 square foot, one-story, one-bedroom secondary dwelling within the rear yard and has been designed to be net-zero in energy usage. The project has been developed jointly by Avenue CDC and Rice University School of Architecture as an example of an affordable, energy efficient, in-fill, rental unit that maintains the scale, character and built fabric of the existing neighborhood. Avenue CDC, as the owner, will rent and manage the property upon completion.

The existing driveway currently provides for off-street parking. A portion of the drive is 8'-6" wide, slightly more narrow than present standards for parking, but practically can park two or more vehicles (up to four) in tandem. The existing conditions make an additional, non-tandem parking space impractical and would negatively impact the bungalow and street frontage. The rear yard is relatively shallow, making a typical garage apartment configuration that meets current standards infeasible. The front yard is likewise impractical for parking. There are obstructions (power pole and cable stay, trees, ditch) and insufficient depth to park head-in, and parking perpendicular to the drive would block the entry to the existing house. Either approach would be inappropriate to the historical type.

While off-street parking may be infeasible, nearby transportation is available and the property is located within a readily walkable and bikeable neighborhood. The nearest bus stop on Sawyer Street is a 7-minute walk and there is a grocery, pharmacy, bank and a host of restaurants and retail stores within a 10 to 12-minute walk on Sawyer Street and Washington Avenue. Additionally, the property is just 3 blocks from the Heights Hike and Bike Trail, providing safe and easy access to downtown and the recreational network of the Bayou Greenways.

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

- (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;**

While the addition of a secondary dwelling to the property is permissible, consistent with historical conditions, and desirable (as a means to provide affordable rental housing), current parking requirements and standards would nonetheless prevent its development or negatively impact the existing dwelling and street frontage.

- (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;**

The variance request is the result of existing site conditions that long pre-date the current owner/applicant. While a new secondary dwelling currently imposes additional parking requirements, those requirements are met in practical terms with respect to quantity but are infeasible with regard to current parking standards and the non-tandem requirement.

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

We understand the article's intent to be that residents have adequate access to transportation. As the existing conditions provide parking sufficient in quantity, if not fully in use by current standards, combined with ready access to other forms of transportation (walking, biking, bus), we believe the intent is adequately preserved.

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

Given the relatively small size of dwellings and that the existing conditions practically exceed the required quantity of parking, we believe sufficient parking is provided.

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

On the contrary, the development of affordable housing within a walkable and bikeable neighborhood reduces the need for vehicular traffic and benefits public health, safety and welfare. Additionally, the property is located on a residential street with underutilized street parking that is within close proximity and a safe walking distance.

- (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.**

The property is subject to these requirements. It is a contributing structure to the High First Ward Historic District and an application for a Certificate of Appropriateness has been submitted (App No: HP2020_0131). The proposed secondary dwelling is appropriate within the historical context and keeping to a one-story structure to minimize visibility and maintain the site's existing character supports the general intent of the Code. Changes to the street frontage, especially the addition of parking in front of the existing dwelling would not be appropriate as is outlined in the Design Guidelines for the High First Ward Historic District.

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



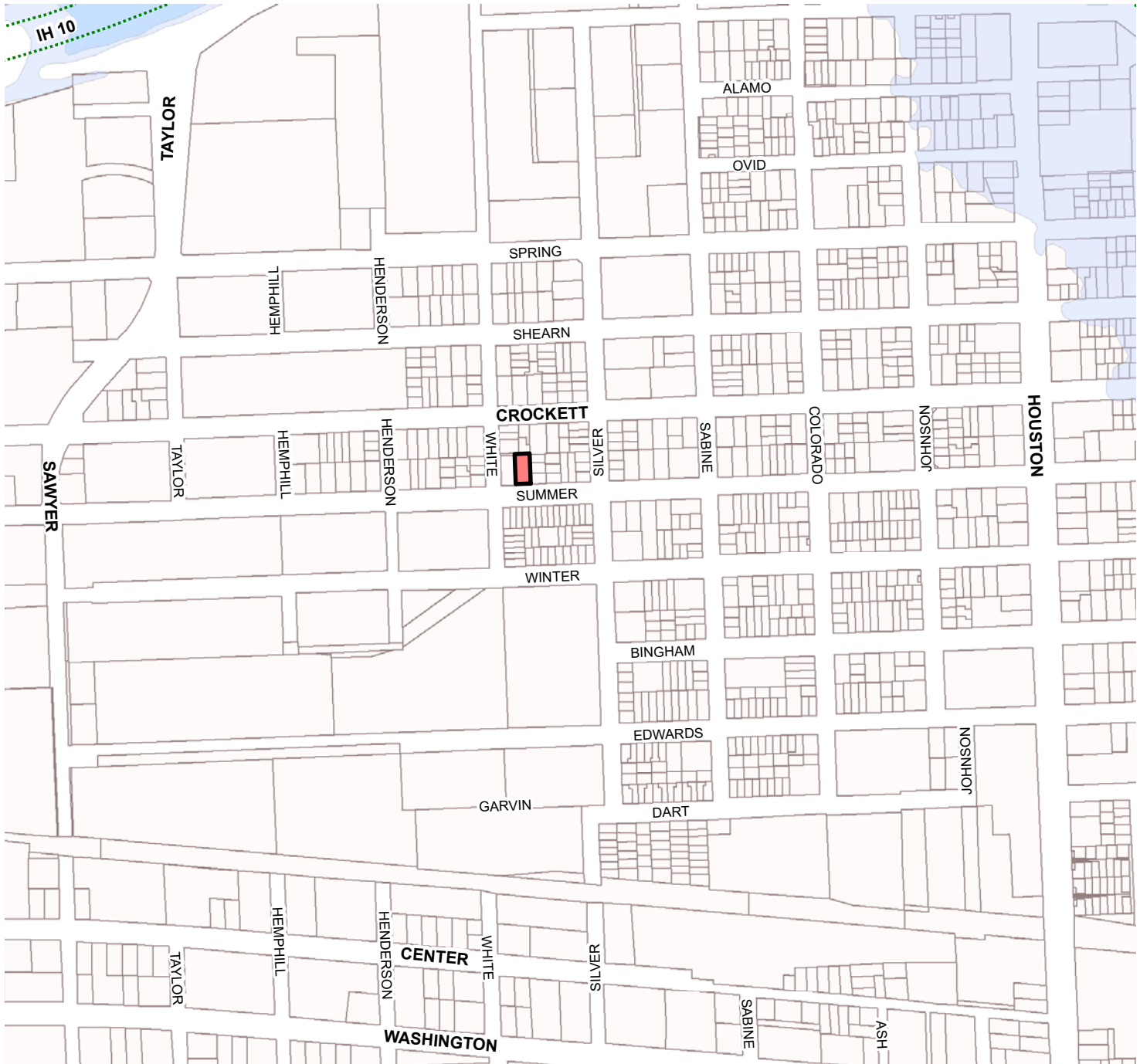
PLANNING &
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DEPARTMENT

ITEM: III

Meeting Date: 8/6/2020

Houston Planning Commission

Location



OFF-STREET PARKING VARIANCE



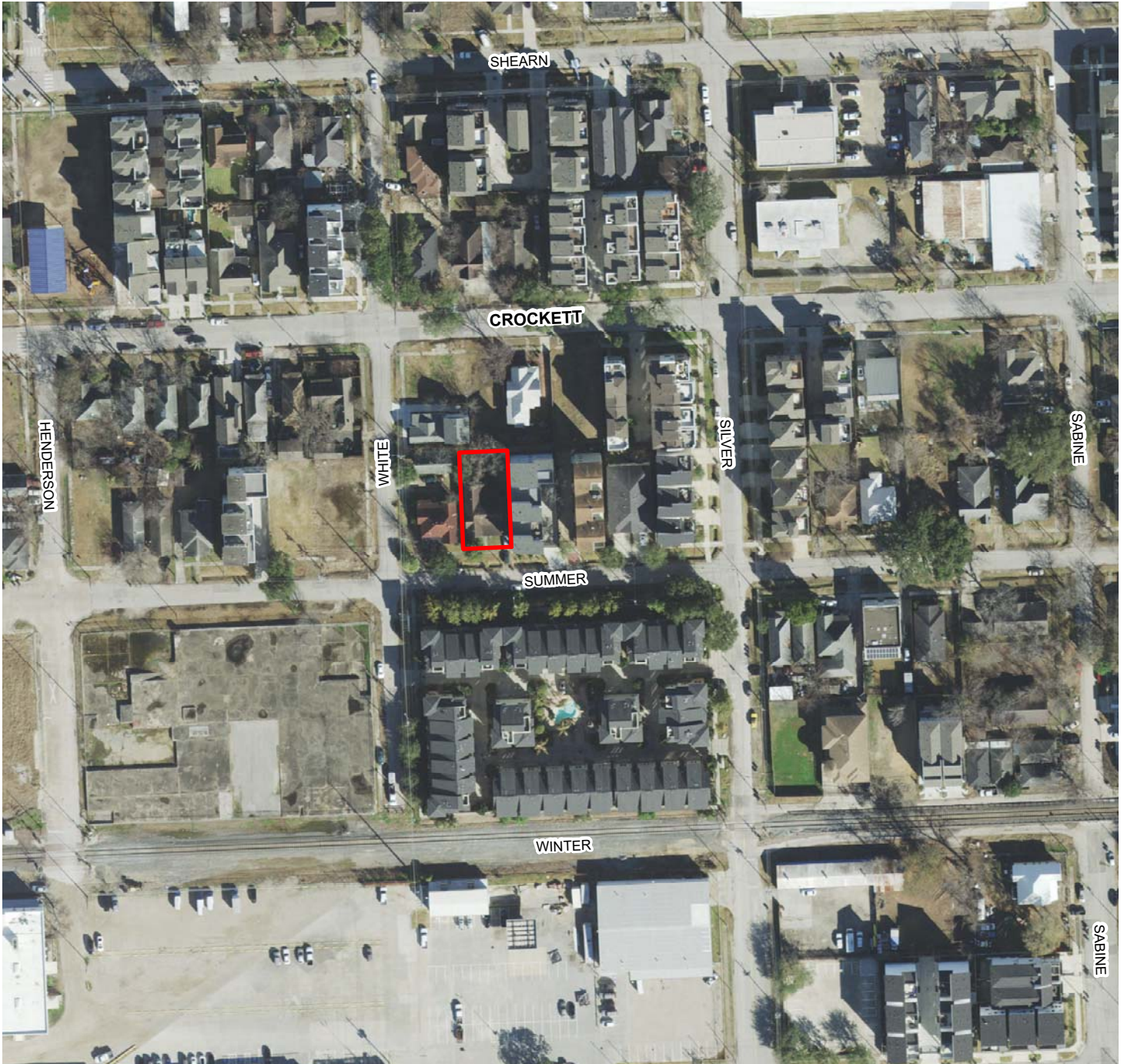
PLANNING &
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DEPARTMENT

ITEM: III

Meeting Date: 8/6/2020

Houston Planning Commission

Aerial

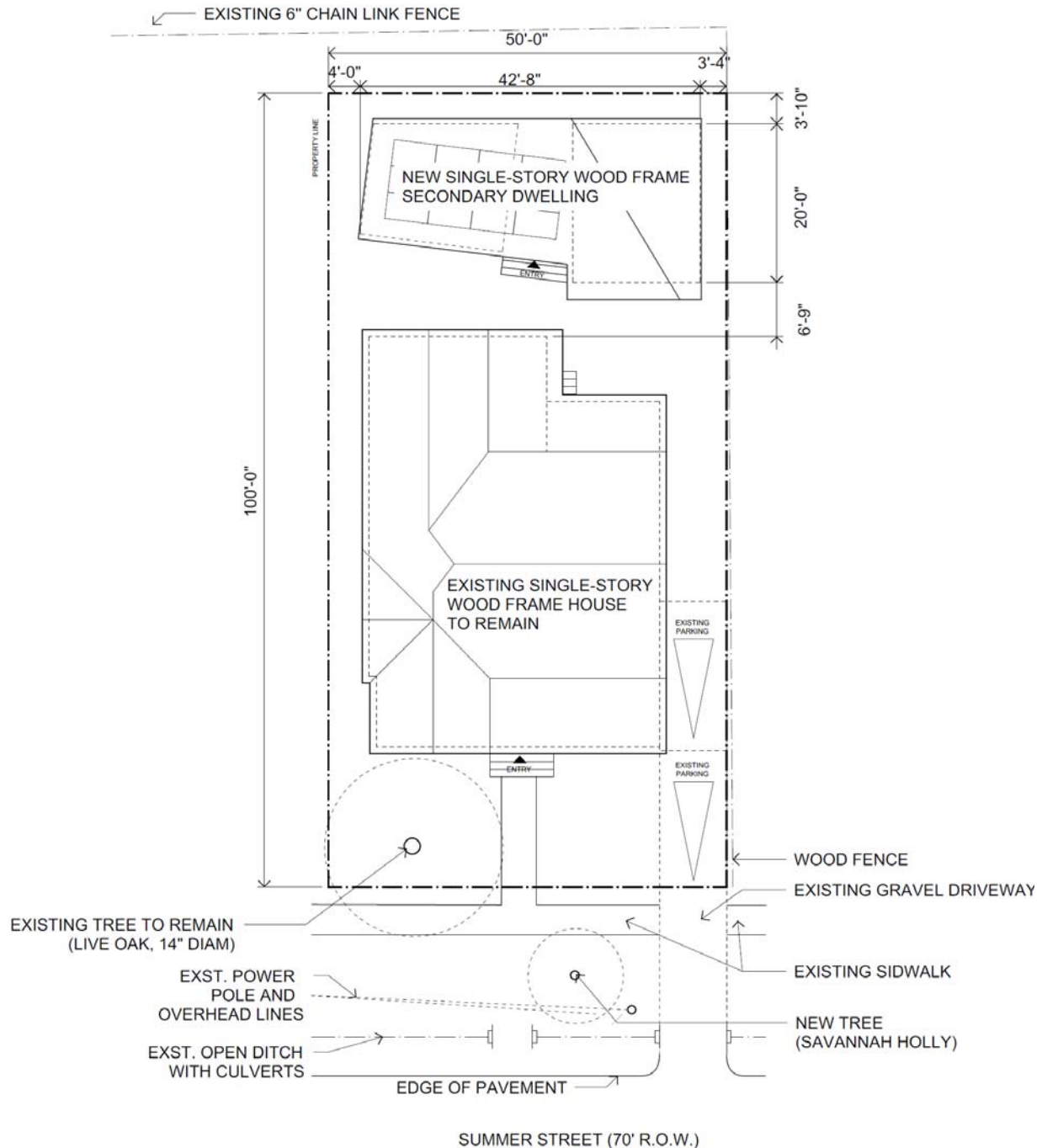


OFF-STREET PARKING VARIANCE



Houston Planning Commission

Site Plan



OFF-STREET PARKING VARIANCE



Houston Planning Commission

ITEM: III

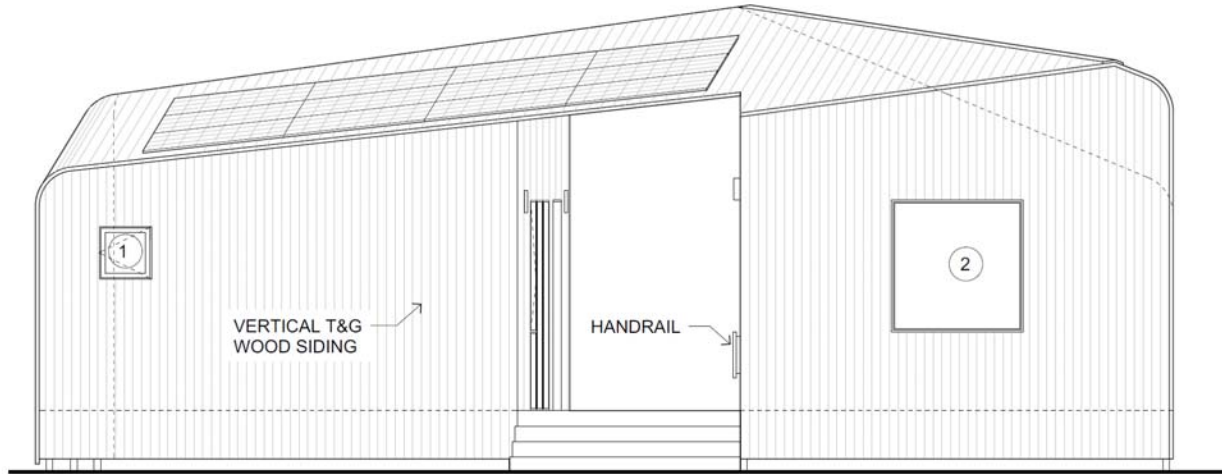
Meeting Date: 8/6/2020

Elevations

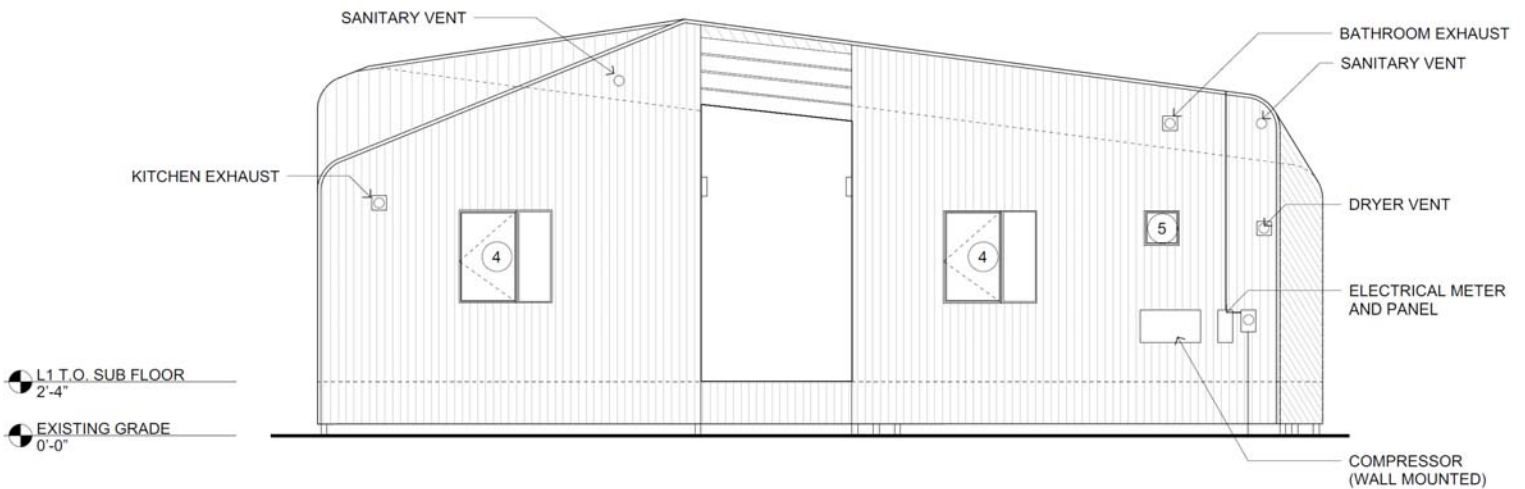
MAX BUILDING HEIGHT
17'-7"

L1 T.O. SUB FLOOR
2'-4"

EXISTING GRADE
0'-0"



1 EXTERIOR ELEVATION SOUTH
3/16" = 1'-0"



L1 T.O. SUB FLOOR
2'-4"

EXISTING GRADE
0'-0"

1 EXTERIOR ELEVATION - NORTH
3/16" = 1'-0"

OFF-STREET PARKING VARIANCE