

HOUSTON PLANNING COMMISSION

AGENDA

THURSDAY, DECEMBER 16, 2021
2:30 PM



IN-PERSON MEETING LOCATION: COUNCIL CHAMBER, CITY HALL ANNEX
OR

VIRTUAL MEETING Via: [Join the Meeting via this link](#)

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OR

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

CONFERENCE ID: 482 231 98#

SUBMIT WRITTEN COMMENTS OR SIGN UP TO SPEAK AT:

speakercomments.pc@houstontx.gov

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

PLANNING COMMISSION MEMBERS



Martha L. Stein, *Chair*
M. Sonny Garza, *Vice Chair*
David Abraham
Susan Alleman
Bill Baldwin
Lisa Clark
Rodney Heisch
Daimian Hines
Randall L. Jones
Lydia Mares
Paul R. Nelson
Linda Porras-Pirtle
Kevin S. Robins
Ileanna Rodriguez
Ian Rosenberg
Megan R. Sigler
Zafar “Zaf” 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
Alan Black

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.
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 24 hours in advance in writing will be made part of the agenda under- public comments.
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

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

SPEAKER GUIDELINES

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

Virtual Electronic Meeting Rules: See adjustments for remote meeting participation on our web pages at www.houstonplanning.com. 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

The Houston Planning Commission will conduct this meeting both in-person and virtual via Microsoft Teams. The Commission will have the option of 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 who choose to attend virtually.

To join the December 16, 2021 Houston Planning Commission please see the following options:

- In-person meeting at: 900 Bagby Street, City Council Chamber, Public Level, Houston, Texas
- Microsoft Teams by installing the Microsoft Teams app; or
Web Browser: <https://bit.ly/3lx4YPc>; or
- Phone: [+1 936-755-1521](tel:+19367551521) Conference ID: 482 231 98#

Visit website (ftp://edrc.houstontx.gov/2021/2021-25_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 official agenda is posted at City Hall 72 hours prior to the Planning Commission meeting. Final detailed packets are available online at the time of the Planning Commission meeting.

Houston Planning Commission

AGENDA

December 16, 2021 2:30 p.m.

Call to Order

Director's Report

Approval of the December 2, 2021 Planning Commission Meeting Minutes

- I. **Presentation on Residential Development and Design Standards for Imagination Zones (Truman Edminster-for Harris County)**
- II. **Platting Activity (Subdivision and Development plats)**
 - a. Consent Subdivision Plats (Tamara Fou)
 - b. Replats (Tamara Fou)
 - c. Replats requiring Public Hearings with Notification (Aracely Rodriguez, Dorianne Powe-Phlegm, Devin Crittle and John Cedillo)
 - d. Subdivision Plats with Variance Requests (Aracely Rodriguez, John Cedillo, Muxian Fang, Geoff Butler and Tammi Williamson)
 - e. Subdivision Plats with Special Exception Requests (Muxian Fang and John Cedillo)
 - f. Reconsiderations of Requirement (Muxian Fang and Devin Crittle)
 - g. Extensions of Approval (Martin Mares Perez)
 - h. Name Changes (Martin Mares Perez)
 - i. Certificates of Compliance (Martin Mares Perez)
 - j. Administrative
 - k. Development Plats with Variance Requests (Jacqueline Brown, Nick Parker and Ramon Jaime-Leon)
- III. **Establish a public hearing date of January 20, 2022**
 - a. Foster Place partial replat no 22
 - b. Hollywood Gardens partial replat no 8
 - c. Melanie Heights partial replat no 1
 - d. Oak Forest Sec 1 partial replat no 4
 - e. Ruburfield No 66 partial replat no 6
 - f. Southern Terrace Replat partial replat no 1
 - g. Vernas Garden
 - h. Willowcreek Ranch Sec 11
- IV. **Consideration of an Off-Street Parking Variance for property located at 3001 Canal Street (Jose Mendoza)**
- V. **Excuse the absences of Commissioners Linda Porras-Pirtle and Meera Victor**
- VI. **Public Comment**
- VII. **Adjournment**

**Minutes of the Houston Planning Commission
December 2, 2021**

Meeting held in Council Chambers, Public Level, City Hall Annex,
with telephonic/video conference via Microsoft Teams <https://bit.ly/32IDW7b>
2:30 p.m.

CALL TO ORDER

Chair Martha L. Stein called the meeting to order at 2:32 p.m. with a roll call vote and a quorum present.

Martha L. Stein, Chair	Present
M. Sonny Garza, Vice Chair	Present
David Abraham	Absent
Susan Alleman	Present
Bill Baldwin	Present
Lisa Clark	Present and arrived at 3:21 p.m. during item 147
Rodney Heisch	Present
Daimian S. Hines	Absent
Randall L. Jones	Present virtually
Lydia Mares	Present virtually
Paul R. Nelson	Present virtually
Linda Porras-Pirtle	Absent
Kevin Robins	Present
Ileana Rodriguez	Absent
Ian Rosenberg	Present virtually and arrived at 2:38 p.m. after Director's Report and left at 5:07 p.m. after item 166
Megan R. Sigler	Present virtually and left at 4:45 p.m. before item 161
Zafar Tahir	Present and arrived at 2:34 p.m. during Chair's Report
Meera D. Victor	Absent
Scott Cain for	Absent
Commissioner James Noack	
Maggie Dalton for	Absent
The Honorable KP George	
Loyd Smith for	Present virtually and left at 5:07 p.m. after item 165
The Honorable Lina Hidalgo	

Ex Officio Members

Carol A. Lewis
Carol Haddock
Yuhayna H. Mahmud
Craig Maske

Executive Secretary

Margaret Wallace Brown, Director, Planning and Development Department

CHAIR'S REPORT

Chair Martha L. Stein reported on meeting procedures and stated that two items were withdrawn.

DIRECTOR'S REPORT

The Director's Report was given by Jennifer Ostlind, Assistant Director, Planning and Development Department.

APPROVAL OF THE NOVEMBER 18, 2021 PLANNING COMMISSION MEETING MINUTES

Commission action: Approved the November 18, 2021 Planning Commission meeting minutes.

Motion: **Heisch**

Second: **Garza**

Vote: **Unanimous**

Abstaining: **None**

I. PLATTING ACTIVITY (Consent and Replat items A and B, 1 – 134)

Items removed for separate consideration: **2, 8, 9, 10, 11, 13, 21, 22, 23, 24, 25, 26, 27, 37, 38, 39, 40, 43, 46, 47, 52, 53, 55, 56, 57, 68, 75, 76, 82, 86 and 88.**

Staff recommendation: Approve staff's recommendations for item(s) 1 – 134 subject to the CPC 101 form conditions.

Commission action: Approved staff's recommendations for item(s) 1 - 134 subject to the CPC 101 form conditions.

Motion: **Baldwin**

Second: **Alleman**

Vote: **Unanimous**

Abstaining: **None**

Staff recommendation: Approve staff's recommendation for items **2, 8, 9, 10, 11, 13, 21, 22, 23, 24, 25, 26, 27, 37, 38, 39, 40, 43, 46, 47, 52, 53, 55, 56, 57, 68, 75, 76, 82, 86 and 88**, subject to the CPC 101 form conditions.

Commission action: Approved staff's recommendation for items **2, 8, 9, 10, 11, 13, 21, 22, 23, 24, 25, 26, 27, 37, 38, 39, 40, 43, 46, 47, 52, 53, 55, 56, 57, 68, 75, 76, 82, 86 and 88**, subject to the CPC 101 form conditions.

Motion: **Robins**

Second: **Nelson**

Vote: **Carried**

Abstaining: **Heisch and Sigler**

C PUBLIC HEARINGS REQUIRING NOTIFICATION

135 Almeda Genoa Place partial replat no 4

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: **Baldwin**

Vote: **Unanimous**

Abstaining: **None**

Speaker: Pastor Willie Adams – position not stated.

136 East End Villas replat no 1

C3N

Defer

Staff recommendation: Defer the application for two weeks.

Commission action: Deferred the application for two weeks.

Motion: **Garza**

Second: **Mares**

Vote: **Unanimous**

Abstaining: **None**

At 2:53 p.m., motion was made by Commissioner **Heisch** and seconded by Commissioner **Nelson** to pause the Commission meeting due to technical difficulties. Motion carried unanimously.

During the recess, Director Margaret Wallace Brown joined the meeting and Assistant Director Jennifer Ostlind stepped away.

At 2:56 p.m., Chair Stein resumed the meeting.

At 3:04 p.m., Chair Stein stepped away and Vice Chair Garza chaired the meeting momentarily.

Items 135 and 136 were reconsidered as noted above.

137 Gaut partial replat no 2 C3N Defer
Staff recommendation: Defer the application for two weeks.
Commission action: Deferred the application for two weeks.
Motion: **Baldwin** Second: **Jones** Vote: **Unanimous** Abstaining: **None**

138 Haden Terrace partial replat no 1 C3N A pprove
Staff recommendation: Approve the plat subject to the CPC 101 form conditions.
Commission action: Approved the plat subject to the CPC 101 form conditions.
Motion: **Alleman** Second: **Tahir** Vote: **Unanimous** Abstaining: **None**

At 3:04 p.m., Chair Stein stepped away and Vice Chair Garza chaired the meeting momentarily.

139 Melody Oaks partial replat no 24 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: **Tahir** Second: **Heisch** Vote: **Unanimous** Abstaining: **None**

140 Neuen Manor partial replat no 23 C3N Withdrawn

141 Neuen Manor partial replat no 24 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: **Tahir** Vote: **Unanimous** Abstaining: **None**

At 3:08 p.m., Chair Stein stepped away and Vice Chair Garza chaired the meeting momentarily.

142 Reedwoods 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: **Alleman** Second: **Tahir** Vote: **Unanimous** Abstaining: **None**

143 Southern Terrace Replat partial replat no 1 C3N Disapprove
Staff recommendation: Disapprove the plat.
Commission action: Disapproved the plat.
Motion: **Baldwin** Second: **Mares** Vote: **Unanimous** Abstaining: **None**

144 Toledo Heights 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: **Heisch** Vote: **Unanimous** Abstaining: **None**

Commissioner Sigler verified her abstentions on Platting Activity.

D VARIANCES

145 Anderson Ville C3R Defer
Staff recommendation: Defer the application.
Commission action: Deferred the application.
Motion: **Jones** Second: **Garza** Vote: **Unanimous** Abstaining: **None**

146 Dangs Estates **C3P** **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: **Sigler** Second: **Mares** Vote: **Unanimous** Abstaining: **None**

147 Donnchadh Meadow Sec 1 **C3P** **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: **Heisch** Vote: **Unanimous** Abstaining: **None**

Items 148 and 149 were taken together at this time.

148 Ella Grovewood **C3P** **Defer**
149 Ella Timbergrove **C3P** **Defer**
Staff recommendation: Defer the applications for two weeks.
Commission action: Deferred the applications for two weeks
Motion: **Garza** Second: **Nelson** Vote: **Carried** Opposed: **Baldwin and Rosenberg**

Speakers: Lance Gilliam, Councilmember Abbie Kamin's Office, Thomas Rowland, Sam Cox – no position stated; Traci Riley, Avery Riley, John Zavala, Allison Newport, George Frey, Travis Brown, Adam Brock, Carson Johnson – opposed; Michael Walls, applicant – supportive; Richard Smith, Houston Public Works.

150 Enclave at Rosehill GP **GP** **Defer**
Staff recommendation: Defer the application at Applicant's request.
Commission action: Deferred the application at Applicant's request.
Motion: **Clark** Second: **Nelson** Vote: **Unanimous** Abstaining: **None**

Items 151, 152 and 153 were taken together at this time.

151 George Heights **C2R** **Defer**
152 George Mansions **C2R** **Defer**
153 George Oaks **C2R** **Defer**
Staff recommendation: Defer the applications.
Commission action: Deferred the applications.
Motion: **Heisch** Second: **Sigler** Vote: **Unanimous** Abstaining: **None**

154 Glendale partial replat no 1 **C2R** **Defer**
Staff recommendation: Defer the application for two weeks.
Commission action: Deferred the application for two weeks.
Motion: **Clark** Second: **Alleman** Vote: **Unanimous** Abstaining: **None**

155 Heights Haven **C2R** **Approve**
Staff recommendation: Grant the variance(s) and approve the plat subject to the CPC 101 form conditions.
Commission action: Granted the variance(s) and approved the plat subject to the CPC 101 form conditions.
Motion: **Clark** Second: **Garza** Vote: **Unanimous** Abstaining: **None**

156 Ingram Place**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: **Alleman**Second: **Jones**Vote: **Unanimous**Abstaining: **None****157 Katy Lakes GP****GP****Defer**

Staff recommendation: Defer the application for two weeks.

Commission action: Deferred the application for two weeks.

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

Speaker: Duane Sandifer -opposed.

158 Ly Liquor on Navigation**C2****Defer**

Staff recommendation: Defer the application for two weeks.

Commission action: Deferred the application for two weeks.

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

Items 159 and 160 were taken together at this time.

159 Market at Katy Park GP**GPR****Approve****160 Market at Katy Park Sec 1****C3P****Approve**

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

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

Motion: **Baldwin**Second: **Clark**Vote: **Unanimous**Abstaining: **None****161 Marvida 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: **Garza**Second: **Mares**Vote: **Unanimous**Abstaining: **None**

Items 162 and 163 were taken together at this time.

162 Tennessee Township GP**GP****Approve****163 Tennessee Township Sec 1****C3P****Approve**

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

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

Motion: **C lark**Second: **Alleman**Vote: **Unanimous**Abstaining: **Heisch****E SPECIAL EXCEPTIONS****164 Allison Park GP****GP****Defer**

Staff recommendation: Defer the application for two weeks.

Commission action: Deferred the application for two weeks.

Motion: **Garza**Second: **Robins**Vote: **Unanimous**Abstaining: **Heisch**

Speaker: Bill Brunnett – no position stated.

F RECONSIDERATION OF REQUIREMENTS

165 Houston Methodist Cypress Hospital C2 Defer
Staff recommendation: Defer the application for two weeks.
Commission action: Deferred the application for two weeks.
Motion: **Baldwin** Second: **Heisch** Vote: **Unanimous** Abstaining: **None**

166 Martin Park C3R Withdrawn

167 Woods Road Industrial 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: **Clark** Second: **Mares** Vote: **Unanimous** Abstaining: **None**

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

G EXTENSIONS OF APPROVAL

168	Bauer Schiel Retail	EOA	Approve
169	Bridgeland Creekland Village Drive Street Dedication Sec 2	EOA	Approve
170	Echo Leaf	EOA	Approve
171	El Arca Church on Winfiled	EOA	Approve
172	Elyson Reserves Sec 3	EOA	Approve
173	Longenbaugh Road Street Dedication and Reserves	EOA	Approve
174	Mani Investments Seven Mile	EOA	Approve
175	Marvida Pipeline Reserve	EOA	Approve
176	Maury South	EOA	Approve
177	Mueschke Road at Dunham Pointe Street Dedication Sec 1	EOA	Approve
178	Northland Boat and RV Storage	EOA	Approve
179	Old Richmond Road Office Warehouse	EOA	Approve
180	West Shorewood at Woodlake Estates	EOA	Approve
181	Windstone Crossing Commercial South	EOA	Approve
182	Woodland Lakes Sec 6	EOA	Approve

H NAME CHANGES

183 Collins Legacy Development (prev. Leslie Estates) NC Approve

I CERTIFICATES OF COMPLIANCE

184 19622 Forest Drive W COC Approve
Staff recommendation: Approve staff's recommendation for items 168-184.
Commission action: Approved staff's recommendation for items 168-184.
Motion: **Clark** Second: **Tahir** Vote: **Unanimous** Abstaining: **Heisch on 169, 172, 177 and 182**

J ADMINISTRATIVE NONE

K DEVELOPMENT PLATS WITH VARIANCE REQUESTS

185 707 Andrews Street

DPV

Defer

Staff recommendation: Defer the application for two weeks.

Commission action: Deferred the application for two weeks.

Motion: **Garza**

Second: **Baldwin**

Vote: **Unanimous**

Abstaining: **None**

Speakers: Leonard Cash, applicant – supportive; Melissa Boyles – no position stated; Richard Smith, Houston Public Works.

186 6947 Linden Street

DPV

Defer

Staff recommendation: Defer the application for two weeks.

Commission action: Deferred the application for two weeks.

Motion: **Clark**

Second: **Alleman**

Vote: **Unanimous**

Abstaining: **None**

II. ESTABLISH A PUBLIC HEARING DATE OF JANUARY 6, 2022

a. **Broad Oaks partial replat no 12**

b. **Canterbury Estates Sec 1 partial replat no 2**

c. **Foster Place partial replat no 23**

d. **Foster Place partial replat no 24**

e. **Glenhaven Estates Sec 2 partial replat no 4**

f. **Houstons Skyscraper Shadows Sec 2 partial replat no 6**

g. **Rosewood Estates Sec 2 partial replat no 3**

h. **Southgate partial replat no 5**

i. **Upper West End Sec 14 partial replat no 1**

j. **Views at Radio Road replat no 1**

k. **West Houston Addition partial replat no 1**

Staff recommendation: Establish a public hearing date of January 6, 2022 for item II a-k.

Commission action: Established a public hearing date of January 6, 2022 for item II a-k.

Motion: **Clark**

Second: **Garza**

Vote: **Unanimous**

Abstaining: **None**

III. PUBLIC HEARING AND CONSIDERATION OF AN OFF-STREET PARKING VARIANCE FOR PROPERTY LOCATED AT 3001 CANAL STREET

Staff recommendation: Defer the application for two weeks.

Commission action: Deferred the application for two weeks.

Motion: **Garza**

Second: **Robinson**

Vote: **Unanimous**

Abstaining: **None**

IV. PUBLIC COMMENT

NONE

V. ADJOURNMENT

There being no further business brought before the Commission, Chair Martha L. Stein adjourned the meeting at 5:26 p.m.

Motion: **Clark**

Second: **Alleman**

Vote: **Unanimous**

Abstaining: **None**

Martha L. Stein, Chair

Margaret Wallace Brown, Secretary

Item		App	
No.	Subdivision Plat Name	Type	Deferral
A-Consent			
1	Almeda Genoa Place partial replat no 4	C3F	
2	Amina Reserve	C2	
3	Aragoste Parkway Street Dedication Sec 3	SP	
4	Avalon at Cypress Sec 11	C3P	
5	Bissonet Street in Trillium Street Dedication Sec 1	C3P	
6	Border Street Business Park	C2	DEF1
7	Breckenridge East Detention Reserve Sec 2	C2	
8	Bridgeland Prairieland Village Sec 13	C3F	
9	Bridgeland Prairieland Village Sec 14	C3F	
10	Brinkman Crossing	C2	
11	Buenos Aires	C2	DEF1
12	Candela Sec 12	C3P	DEF1
13	Candela Sec 13	C3P	DEF1
14	Cay Landing	C3F	
15	Commons at Cypress Lakes	C2	
16	Crestwood partial replat no 2	C3F	
17	Crossing at the Commons of Lake Houston Sec 2	C3P	
18	Crossing at the Commons of Lake Houston Sec 3	C3P	
19	Dan Street Townhomes	C2	
20	Dangs Estates	C3F	
21	Doka Tomball	C2	
22	Elyson Reserves Sec 4	C2	
23	Elyson Reserves Sec 5	C2	
24	Elyson Sec 46	C3F	
25	Elyson Sec 52	C3P	
26	Esperanza Kieth Harrow	C2	
27	Fort Bend County ESD no 7 Station no 52	C2	DEF2
28	Haden Terrace partial replat no 1	C3F	
29	Harvest Home Drive Street Dedication Sec 3	C3F	
30	Haven at Treeline Addition	C2	
31	Lower Heights	C2	
32	Maple Estate	C2	
33	Marvida Gardens	C2	
34	Marvida Sec 24	C3F	
35	Melody Oaks Partial Replat No 24	C3F	
36	Monarca	C2	
37	North Bridgeland Lake Parkway Street Dedication Sec 8	SP	
38	Oakwood Sec 1	C3F	DEF1
39	Parchaus Katy	C2	DEF2
40	Paul Quinn Heights	C3F	
41	Pecan Estates Sec 2	C3F	
42	Pinemont Oaks Extension	C3P	

Platting Summary**Houston Planning Commission****PC Date: December 16, 2021**

Item No.	Subdivision Plat Name	App	
		Type	Deferral
43	Plaza at Crosswinds	C2	
44	Queenston Business Center	C2	
45	Reedwoods partial replat no 1	C3F	
46	Reserve on Katy Hockley	C2	
47	Roth Self Storage	C2	
48	Shadyvilla Addition Sec 2 partial replat no 9	C3F	
49	Spears Road Tract North	C3P	
50	Stephens Estates	C2	
51	Ten Acre Lake Reserve	C3P	
52	Tidwell Addition	C2	DEF1
53	Tidwell Bungalows	C3P	DEF1
54	Trillium Bend Lane Street Dedication Sec 1	C3P	
55	Trillium Sec 1	C3P	
56	Trillium Sec 2	C3P	
57	Trillium Sec 3	C3P	
58	Trillium Sec 4	C3P	
59	Tuskegee Estate	C3F	
60	West Airport Retail Ventures	C2	
61	Westhaven Manor Sec 1	C3P	DEF1
62	Westmoor Drive Street Dedication Sec 1	C3P	
63	Wheatley Villas	C3F	
64	Willowcreek Ranch GP	GP	

B-Replats

65	Alexandria Court	C2R	
66	Allwood Estates	C2R	
67	Almeda Village	C2R	
68	Amelia Oaks	C2R	
69	Andco Investments	C2R	
70	Bamwood Sec 1 partial replat no 1	C2R	
71	Beacon on Laverne	C2R	
72	Beltway 8 East Office Park	C2R	
73	Bennington Crossing	C2R	
74	Bertwood Estates	C2R	
75	Bonzai Estates	C2R	
76	Brinkman Oaks	C2R	
77	Brooks Place Lofts	C2R	
78	Clarington Villas	C2R	
79	Comal Estates	C2R	
80	Concept Canal	C2R	
81	Dead Oak Commercial	C2R	
82	Dreamland Apartments	C2R	DEF1
83	Enterprise Crossing	C2R	
84	Gladstone Cueva	C2R	

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Item No.	Subdivision Plat Name	App	
		Type	Deferral
85	Harris County Department of Education	C2R	
86	Heights 26th Street	C2R	DEF1
87	Highland Green	C2R	
88	Homes at Kewanee	C2R	DEF2
89	Homes at Laura Koppe Road	C2R	
90	Houstonian Homes at Cordell Street	C2R	
91	Ireland Estates	C2R	
92	Jackson Street Views	C2R	
93	Jacquelyn Green	C2R	DEF1
94	Janisch Heights	C2R	
95	Kirby Place	C2R	DEF1
96	Los Cavazos	C2R	DEF1
97	Lucky Meadows	C2R	
98	Maldonado Estates at West Montgomery	C2R	DEF1
99	Mansfield Pines	C3R	
100	Miller Road no 2 Plaza	C2R	
101	Montrose Estates	C2R	DEF1
102	Mountwood Landing	C2R	
103	Nantucket Residences	C2R	
104	Nixon Estates at Arapahoe	C2R	
105	Oakland Townhomes	C2R	
106	Orem Meadows	C3R	
107	Oslo Willowbrook	C3R	
108	Peace Love and Dogs	C2R	
109	Peachtree Court	C2R	
110	Peachtree Villas	C2R	
111	Phillips Crossing	C2R	
112	Pin Way	C2R	
113	Plaza Estates at Bonaire	C2R	
114	Ranger Extension partial replat no 1	C2R	DEF1
115	Rivera Landing	C2R	
116	Sherman Landing	C2R	
117	Simmons Street Townhomes	C2R	
118	Skyline Homes at Del Rio	C2R	DEF1
119	Solar Street	C2R	
120	South Main partial replat no 1	C2R	
121	TDL Golden Investment Inc Development	C2R	
122	Vietnamese Church Of Christ Houston	C2R	
123	Village at Archer Acres	C2R	
124	Villareal Estates at Canal	C2R	
125	Villas at West 16th Street	C2R	
126	Welch Street Green	C2R	
127	Welch Street Grove	C2R	
128	West Orem Point	C2R	
129	Wheatley Estates	C2R	DEF1

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Item No.	Subdivision Plat Name	App	
		Type	Deferral
130	Whitney Villas	C2R	
131	Willeyvale Court	C2R	
132	Wilmer Residences	C2R	
133	Yes Prep Airline Elementary	C2R	
134	Yocum Gardens Plaza	C2R	

C-Public Hearings Requiring Notification

135	Agua Estates Commercial	C3N	
136	Art Colony at Museum District partial replat no 1	C3N	
137	Atwood Villas partial replat no 4	C3N	
138	Bayou Woods Sec 2 partial replat no 5	C3N	
139	East End Villas replat no 1	C3N	DEF1
140	Gaut partial replat no 2	C3N	DEF1
141	June Gardens partial replat no 1	C3N	
142	Kipp Texas Houston Veterans Memorial	C3N	
143	Langham Creek Colony Sec 2 partial replat no 3	C3N	
144	Pelham Place Sec 3 partial replat no 1	C3N	
145	Westheimer Estates partial replat no 13	C3N	

D-Variances

146	Anderson Ville	C3R	DEF1
147	Breaktime at Westheimer	C2R	
148	Chamon Power GP	GP	
149	Chamon Power Sec 1	C2	
150	Ella Grovewood	C3P	DEF2
151	Ella Timbergrove	C3P	DEF2
152	Enclave at Rosehill GP	GP	DEF2
153	George Heights	C2R	DEF1
154	George Mansions	C2R	DEF1
155	George Oaks	C2R	DEF1
156	Glendale partial replat no 1	C2R	DEF2
157	Green Scapes	C2	
158	Ismaili Center Houston	C2R	
159	Katy Lakes GP	GP	DEF2
160	Ly Liquor on Navigation	C2	DEF2
161	Nine Thirteen McKee	C2R	
162	Rideau Landing	C2R	
163	Spears Road Tract South	C3P	
164	Spring Park West	C2	

E-Special Exceptions

165	Allison Park GP	GP	DEF1
166	Allison Park Sec 4	C3R	

Item No.	Subdivision Plat Name	App Type	Deferral
167	Allison Park Sec 5	C3R	
168	Allison Park Sec 6	C3R	
169	Allison Park Sec 7	C3R	
170	Allison Park Sec 8	C3R	
171	Elyson Sec 53	C3P	

F-Reconsideration of Requirements

172	Houston Methodist Cypress Hospital	C2	DEF1
173	Park At Anserra GP	GP	
174	Perry Road Development	C3P	
175	Porter Mercado	C2	

G-Extensions of Approval

176	Aragoste Parkway Street Dedication Sec 2	EOA	
177	Bridgeland Cocoon Lane and Flowering Ivy Drive Street Dedication	EOA	
178	Four Oh Four Enterprises	EOA	
179	Hufsmith Business Park	EOA	
180	Northland Boat and RV Storage North	EOA	
181	Residence at Arbor Oaks	EOA	
182	SJS Addition	EOA	
183	Tavola Sec 36	EOA	
184	Tavola Sec 39	EOA	
185	Tavola Sec 40	EOA	
186	Tavola Sec 41	EOA	
187	Tavola Sec 42	EOA	
188	Trinity Spring Oaks	EOA	
189	Zannahville	EOA	

H-Name Changes

190	Trillium GP (prev. Bono Tract GP)	NC	
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I-Certification of Compliance

191	24768 Meadow Lane	COC	
192	18576 Wisp Willow Way	COC	
193	21255 W Memorial Drive	COC	

J-Administrative

None

K-Development Plats with Variance Requests

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Item		App	
No.	Subdivision Plat Name	Type	Deferral
194	707 Andrews Street	DPV	DEF1
195	6947 Linden Street	DPV	DEF1
196	3709 Locke Ln	DPV	
197	4521 N Main Street	DPV	

Off-Street Parking with Variance Requests

IV	3001 Canal Street	PV	DEF1
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Item No.	Subdivision Plat Name	App No.	App Type	Location			Plat Data			Customer	
				Co	City/ ETJ	Key Map	Plat Ac	Rsv Ac	Lots	Developer	Applicant's Company

A-Consent

1	Almeda Genoa Place partial replat no 4	2021-2952	C3F	Harris	City	574N	6.43	1.57	67	LJA Engineering	LJA Engineering, Inc.- (Houston Office)
2	Amina Reserve	2021-2873	C2	Harris	City	570F	1.28	1.28	0	ADVANCE SURVEYING, INC	Advance Surveying, Inc.
3	Aragoste Parkway Street Dedication Sec 3	2021-2897	SP	Montgomery	ETJ	257K	1.58	0.00	0	Friendswood Development Company	LJA Engineering, Inc.- (Houston Office)
4	Avalon at Cypress Sec 11	2021-2927	C3P	Harris	ETJ	405D	22.40	7.70	55	Taylor Morrison of Texas	Meta Planning + Design LLC
5	Bissonet Street in Trillium Street Dedication Sec 1	2021-2943	C3P	Fort Bend	ETJ	527S	13.90	11.58	0	TPHTM 1464 LLC	Meta Planning + Design LLC
6	Border Street Business Park (DEF1)	2021-2627	C2	Harris	ETJ	292Q	5.15	5.15	0	RAC Border Street LLC	Hovis Surveying Company Inc.
7	Breckenridge East Detention Reserve Sec 2	2021-2858	C2	Harris	ETJ	294S	32.03	32.03	0	D.R. HORTON - TEXAS, LTD.	DHI Engineering, LLC
8	Bridgeland Prairieland Village Sec 13	2021-2915	C3F	Harris	ETJ	365K	13.79	2.08	54	Bridgeland Development, LP	McKim & Creed, Inc.
9	Bridgeland Prairieland Village Sec 14	2021-2923	C3F	Harris	ETJ	365K	15.09	2.38	62	Bridgeland Development, LP	McKim & Creed, Inc.
10	Brinkman Crossing	2021-2893	C2	Harris	City	452G	0.77	0.30	15	3h Engineering & Construction, Inc	PLS CONSTRUCTION LAYOUT, INC
11	Buenos Aires (DEF1)	2021-2672	C2	Harris	City	454F	0.25	0.00	1	ALIANA CORPORATION LLC	Aliana Corporation LLC
12	Candela Sec 12 (DEF1)	2021-2795	C3P	Fort Bend	ETJ	524N	32.30	11.21	88	Johnson Development Services	Meta Planning + Design LLC
13	Candela Sec 13 (DEF1)	2021-2799	C3P	Fort Bend	ETJ	524N	16.50	2.33	74	Johnson Development Services	Meta Planning + Design LLC
14	Cay Landing	2021-2868	C3F	Harris	City	573T	9.94	2.06	102	Contempo Builder	Windrose
15	Commons at Cypress Lakes	2021-2939	C2	Harris	ETJ	366Y	4.58	4.58	0	Hunnington	Tetra Surveys
16	Crestwood partial replat no 2	2021-2761	C3F	Harris	City	492K	0.46	0.00	2	William Burke	Tri-Tech Surveying Co., LP/Tri-Tech Engineering, LP
17	Crossing at the Commons of Lake Houston Sec 2	2021-2962	C3P	Harris	City	298T	13.30	2.59	46	Signorelli Company	Meta Planning + Design LLC
18	Crossing at the Commons of Lake Houston Sec 3	2021-2968	C3P	Harris	City	298N	22.79	1.05	101	Signorelli Company	Meta Planning + Design LLC
19	Dan Street Townhomes	2021-2583	C2	Harris	City	494F	0.11	0.00	2	CONCORD VENTURE, LLC	RSG Engineering
20	Dangs Estates	2021-2880	C3F	Harris	ETJ	293P	4.77	0.00	4	SEM SERVICES	SEM SERVICES
21	Doka Tomball	2021-2928	C2	Harris	ETJ	289K	7.32	7.32	0	Doka USA, Ltd	Texas Engineering And Mapping Company
22	Elyson Reserves Sec 4	2021-2853	C2	Harris	ETJ	405J	27.60	27.60	0	Nash FM 529, LLC.	BGE, Inc.

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23	Elyson Reserves Sec 5	2021-2854	C2	Harris	ETJ	405N	51.39	51.39	0	Nash FM 529, LLC	BGE, Inc.
24	Elyson Sec 46	2021-2913	C3F	Harris	ETJ	404R	22.45	2.16	116	Nash FM 529, LLC.	BGE, Inc.
25	Elyson Sec 52	2021-2887	C3P	Harris	ETJ	404M	13.10	1.35	47	Nash FM 529, LLC	Meta Planning + Design LLC
26	Esperanza Kieth Harrow	2021-2926	C2	Harris	ETJ	446C	11.41	11.40	1	SRG DEVELOPMENT HOLDING LLC	Atkinson Engineers
27	Fort Bend County ESD no 7 Station no 52 (DEF2)	2021-2649	C2	Fort Bend	ETJ	651B	2.63	2.63	0	S&G Engineering Consultants, LLC.	West Belt Surveying, Inc.
28	Haden Terrace partial replat no 1	2021-2881	C3F	Harris	City	533C	0.45	0.00	3	SEM SERVICES	SEM SERVICES
29	Harvest Home Drive Street Dedication Sec 3	2021-2725	C3F	Fort Bend	ETJ	566L	9.40	3.31	0	Grand Parkway HG 2 LP	LJA Engineering, Inc.- (Houston Office)
30	Haven at Treeline Addition	2021-2776	C2	Harris	ETJ	328M	11.57	2.99	1	Guefen Development Partners, LLC	Wier & Associates, Inc.
31	Lower Heights	2021-2857	C2	Harris	City	493E	1.54	1.54	0	Oxberry Group	Windrose
32	Maple Estate	2021-2895	C2	Harris	ETJ	335N	0.14	0.00	1	3h Engineering & Construction, Inc	PLS CONSTRUCTION LAYOUT, INC
33	Marvida Gardens	2021-2869	C2	Harris	ETJ	406P	14.12	14.12	0	Kimley-Horn	Windrose
34	Marvida Sec 24	2021-2794	C3F	Harris	ETJ	406E	13.58	1.00	77	M/I Homes of Houston, LLC	Jones Carter - Woodlands Office
35	Melody Oaks partial replat no 24	2021-2963	C3F	Harris	City	451X	0.24	0.00	3	Dartmouth Capital Investments, Inc.	Richard Grothues Designs
36	Monarca	2021-2865	C2	Harris	City	455C	7.00	7.00	0	Garsan Carriers	Terra Surveying Company, Inc.
37	North Bridgeland Lake Parkway Street Dedication Sec 8	2021-2925	SP	Harris	ETJ	365K	6.22	0.00	0	Bridgeland Development, LP	McKim & Creed, Inc.
38	Oakwood Sec 1 (DEF1)	2021-2805	C3F	Harris	ETJ	286M	41.23	14.23	143	KB Home Lone Star Inc	Meta Planning + Design LLC
39	Parchaus Katy (DEF2)	2021-2645	C2	Harris	ETJ	445B	22.84	22.83	0	LJA Engineering	LJA Engineering, Inc.- (Houston Office)
40	Paul Quinn Heights	2021-2847	C3F	Harris	City	451D	1.41	0.20	24	PAUL QUINN DEV, LLC,	MOMENTUM ENGINEERING
41	Pecan Estates Sec 2	2021-2954	C3F	Harris	ETJ	419K	32.36	18.58	69	LJA Engineering	LJA Engineering, Inc.- (Houston Office)
42	Pinemont Oaks Extension	2021-2849	C3P	Harris	City	452G	1.69	0.10	27	JHF Holdings, LLC	Karen Rose Engineering and Surveying
43	Plaza at Crosswinds	2021-2859	C2	Harris	City	374V	2.83	2.83	0	King Fuels, Inc.	Century Engineering, Inc
44	Queenston Business Center	2021-2840	C2	Harris	ETJ	447C	0.69	0.69	0	HPAS LLC	Surv-Tex surveying Inc.
45	Reedwoods partial replat no 1	2021-2914	C3F	Harris	City	573B	0.75	0.00	4	CE Engineers & Development Consultants, Inc.	CE Engineers & Development Consultants, INC
46	Reserve on Katy Hockley	2021-2737	C2	Harris	ETJ	444B	113.47	111.57	0	Holigan Land LP	Core
47	Roth Self Storage	2021-2770	C2	Harris	ETJ	332D	3.69	3.69	0	Roth Self Storage, LLC	Windrose
48	Shadyvilla Addition Sec 2 partial replat no 9	2021-2874	C3F	Harris	City	451X	0.24	0.00	4	REIL GARY, LLC	replats.com

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49	Spears Road Tract North	2021-2778	C3P	Harris	ETJ	372E	29.30	5.13	148	D.R. Horton-Texas, Ltd.	Jones Carter - Woodlands Office
50	Stephens Estates	2021-2934	C2	Harris	City	454J	0.23	0.00	2	Michael Lee Stephens	Owens Management Systems, LLC
51	Ten Acre Lake Reserve	2021-2837	C3P	Harris	ETJ	336B	2.87	2.87	0	TEN ACRE LAKE, LLC	Century Engineering, Inc
52	Tidwell Addition (DEF1)	2021-2603	C2	Harris	ETJ	457A	0.70	0.70	0	Vaquero	JPH
53	Tidwell Bungalows (DEF1)	2021-2480	C3P	Harris	City	451C	3.01	0.43	34	TR Capital LLC	Building and Infrastructure Solutions
54	Trillium Bend Lane Street Dedication Sec 1	2021-2942	C3P	Fort Bend	ETJ	527S	0.78	0.00	0	TPHTM 1464 LLC	Meta Planning + Design LLC
55	Trillium Sec 1	2021-2945	C3P	Fort Bend	ETJ	527S	9.10	1.73	26	TPHTM 1464 LLC	Meta Planning + Design LLC
56	Trillium Sec 2	2021-2946	C3P	Fort Bend	ETJ	527S	20.10	3.38	84	TPHTM 1464 LLC	Meta Planning + Design LLC
57	Trillium Sec 3	2021-2948	C3P	Fort Bend	ETJ	527S	33.50	11.48	80	TPHTM 1464 LLC	Meta Planning + Design LLC
58	Trillium Sec 4	2021-2949	C3P	Fort Bend	ETJ	527S	10.10	1.00	52	TPHTM 1464 LLC	Meta Planning + Design LLC
59	Tuskegee Estate	2021-2918	C3F	Harris	City	452B	0.96	0.03	13	Zoom Homes, LLC	Pioneer Engineering, LLC
60	West Airport Retail Ventures	2021-2898	C2	Fort Bend	ETJ	566D	8.50	8.50	0	Aliana Development Company	LJA Engineering, Inc.- (Houston Office)
61	Westhaven Manor Sec 1 (DEF1)	2021-2785	C3P	Harris	ETJ	242T	80.45	39.95	212	LGI Homes - Texas, LLC	Pape-Dawson Engineers
62	Westmoor Drive Street Dedication Sec 1	2021-2944	C3P	Fort Bend	ETJ	527S	5.80	3.08	0	TPHTM 1464 LLC	Meta Planning + Design LLC
63	Wheatley Villas	2021-2871	C3F	Harris	City	412X	0.91	0.09	12	CE Engineers & Development Consultants, Inc.	CE Engineers & Development Consultants, INC
64	Willowcreek Ranch GP	2021-2936	GP	Harris	ETJ	288S	709.46	0.00	0	CC Telge Road, L.P.	EHRA

B-Replats

65	Alexandria Court	2021-2912	C2R	Harris	City	533Z	0.21	0.00	2	CJM Realty Advisors	Owens Management Systems, LLC
66	Allwood Estates	2021-2822	C2R	Harris	City	454H	0.26	0.00	2	3h Engineering & Construction, Inc	PLS CONSTRUCTION LAYOUT, INC
67	Almeda Village	2021-2742	C2R	Harris	City	493X	0.41	0.41	0	Wake Up LLC	Owens Management Systems, LLC
68	Amelia Oaks	2021-2883	C2R	Harris	City	451T	1.60	0.16	34	Onyx Land Partners, LLC.	ICMC GROUP INC
69	Andco Investments	2021-2848	C2R	Harris	ETJ	458E	5.01	5.01	0	Andco Investments, LLC	Hovis Surveying Company Inc.
70	Bamwood Sec 1 partial replat no 1	2021-2679	C2R	Harris	ETJ	331M	3.08	3.08	0	J. Morales Inc.	J. Morales
71	Beacon on Laverne	2021-2851	C2R	Harris	City	450U	0.43	0.00	10	Pi Investments and Consulting	Interland Surveying
72	Beltway 8 East Office Park	2021-2691	C2R	Harris	City	375S	2.01	2.01	0	Bonoan Ventures Inc	Survey 1, Inc.
73	Bennington Crossing	2021-2774	C2R	Harris	City	454Q	0.64	0.01	6	JFO SOLUTIONS	PLS CONSTRUCTION LAYOUT, INC

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74	Bertwood Estates	2021-2777	C2R	Harris	City	454H	0.26	0.00	2	JFO Solutions	PLS CONSTRUCTION LAYOUT, INC
75	Bonzai Estates	2021-2764	C2R	Harris	City	493D	0.11	0.00	3	ZITRO CUSTOM HOMES	Texas Field Services
76	Brinkman Oaks	2021-2879	C2R	Harris	City	452G	0.33	0.00	6	Arcada Homes, LLC	Total Surveyors, Inc.
77	Brooks Place Lofts	2021-2820	C2R	Harris	City	454N	0.17	0.00	4	SSOT BUILDERS	Survey Solutions of Texas
78	Clarington Villas	2021-2775	C2R	Harris	City	454G	0.18	0.00	2	JFO Solutions	PLS CONSTRUCTION LAYOUT, INC
79	Comal Estates	2021-2902	C2R	Harris	City	533U	0.23	0.00	4	CAS Consultants, LLC	CAS Consultants, LLC
80	Concept Canal	2021-2867	C2R	Harris	City	494N	0.67	0.67	0	ALJ Lindsey	Windrose
81	Dead Oak Commercial	2021-2929	C2R	Harris	City	452Q	4.58	4.58	0	Braun Enterprises	Tetra Surveys
82	Dreamland Apartments (DEF1)	2021-2839	C2R	Harris	City	412X	0.50	0.39	1	AZH Development	The Interfield Group
83	Enterprise Crossing	2021-2644	C2R	Harris	City	412U	0.33	0.00	4	3h Engineering & Construction, Inc	PLS CONSTRUCTION LAYOUT, INC
84	Gladstone Cueva	2021-2872	C2R	Harris	City	533U	0.11	0.00	2	New Era Development	New Era Development
85	Harris County Department of Education	2021-2782	C2R	Harris	City	453R	2.00	2.00	0	Harris County Dept of Education	Doucet & Associates, Inc.
86	Heights 26th Street (DEF1)	2021-2773	C2R	Harris	City	452U	2.74	2.74	0	Kimley-Horn	Windrose
87	Highland Green	2021-2878	C2R	Harris	City	451D	0.34	0.00	5	Marbella Homes, LLC	Total Surveyors, Inc.
88	Homes at Kewanee (DEF2)	2021-2586	C2R	Harris	City	533Y	0.14	0.00	2	ADVANCE SURVEYING, INC	Advance Surveying, Inc.
89	Homes at Laura Koppe Road	2021-2896	C2R	Harris	City	454G	0.33	0.00	6	Europa Homes	PLS CONSTRUCTION LAYOUT, INC
90	Houstonian Homes at Cordell Street	2021-2937	C2R	Harris	City	453T	0.11	0.00	2	CVR Homes	PLS CONSTRUCTION LAYOUT, INC
91	Ireland Estates	2021-2933	C2R	Harris	City	454C	0.20	0.00	2	3h Engineering & Construction, Inc	PLS CONSTRUCTION LAYOUT, INC
92	Jackson Street Views	2021-2876	C2R	Harris	City	493U	0.14	0.00	2	Mazzarino Construction	Total Surveyors, Inc.
93	Jacquelyn Green (DEF1)	2021-2752	C2R	Harris	City	451X	0.38	0.00	4	Cunningham Development	Total Surveyors, Inc.
94	Janisch Heights	2021-2741	C2R	Harris	City	452H	0.32	0.00	6	540 Janisch, LLC	Sheer Homes, Inc.
95	Kirby Place (DEF1)	2021-2701	C2R	Harris	City	493D	1.43	0.10	34	Treehouse-Development, LLC	Pioneer Engineering, LLC
96	Los Cavazos (DEF1)	2021-2767	C2R	Harris	City	454A	0.20	0.00	3	REAL Designs, Inc.	REAL Designs
97	Lucky Meadows	2021-2921	C2R	Harris	City	412U	0.15	0.00	2	HCX Infinity Group	The Interfield Group
98	Maldonado Estates at West Montgomery (DEF1)	2021-2553	C2R	Harris	City	412N	0.42	0.42	0	CAS Consultants, LLC	CAS Consultants, LLC
99	Mansfield Pines	2021-2886	C3R	Harris	City	452A	4.73	0.68	62	Onyx Land Partners, LLC.	ICMC GROUP INC
100	Miller Road no 2 Plaza	2021-2863	C2R	Harris	ETJ	458N	2.73	2.73	0	Panjwani Energy Properties, LLC	Century Engineering, Inc
101	Montrose Estates (DEF1)	2021-2685	C2R	Harris	City	492V	0.14	0.00	2	ROC Homes	MOMENTUM ENGINEERING
102	Mountwood Landing	2021-2877	C2R	Harris	City	451D	0.17	0.00	4	Legion Builders	Total Surveyors, Inc.

Platting Summary**Houston Planning Commission****PC Date: December 16, 2021**

Item No.	Subdivision Plat Name	App No.	App Type	Location			Plat Data			Customer	
				Co	City/ ETJ	Key Map	Plat Ac	Rsv Ac	Lots	Developer	Applicant's Company
103	Nantucket Residences	2021-2735	C2R	Harris	City	491S	0.21	0.00	2	Advance Surveying, Inc.	Advance Surveying, Inc.
104	Nixon Estates at Arapahoe	2021-2901	C2R	Harris	City	494G	0.11	0.00	2	CAS Consultants, LLC	CAS Consultants, LLC
105	Oakland Townhomes	2021-2796	C2R	Harris	City	494T	0.11	0.00	2	3h Engineering & Construction, Inc	PLS CONSTRUCTION LAYOUT, INC
106	Orem Meadows	2021-2772	C3R	Harris	City	574P	3.41	1.00	31	JL Trevino & Assoc. PLLC	PLS CONSTRUCTION LAYOUT, INC
107	Oslo Willowbrook	2021-2866	C3R	Harris	City	369M	2.20	2.20	0	Kimley-Horn	Windrose
108	Peace Love and Dogs	2021-2956	C2R	Harris	City	450X	0.68	0.68	0	Peace Love and Gogs, LLC	Texas Engineering And Mapping Company
109	Peachtree Court	2021-2780	C2R	Harris	City	454G	0.55	0.01	6	JFO Solutions	PLS CONSTRUCTION LAYOUT, INC
110	Peachtree Villas	2021-2784	C2R	Harris	City	454G	0.30	0.00	2	Europa Homes	PLS CONSTRUCTION LAYOUT, INC
111	Phillips Crossing	2021-2808	C2R	Harris	City	452A	0.20	0.00	2	3h Engineering & Construction, Inc	PLS CONSTRUCTION LAYOUT, INC
112	Pin Way	2021-2882	C2R	Harris	City	493Z	0.13	0.00	2	SEM SERVICES	SEM SERVICES
113	Plaza Estates at Bonaire	2021-2888	C2R	Harris	City	455T	0.19	0.00	3	New Era Development	New Era Development
114	Ranger Extension partial replat no 1 (DEF1)	2021-2555	C2R	Harris	City	494N	0.34	0.00	2	J. Morales Inc.	J. Morales
115	Rivera Landing	2021-2910	C2R	Harris	City	453M	0.60	0.00	3	Omar Rivera	Owens Management Systems, LLC
116	Sherman Landing	2021-2875	C2R	Harris	City	494P	0.11	0.00	3	Aire Development, LLC	Total Surveyors, Inc.
117	Simmons Street Townhomes	2021-2884	C2R	Harris	City	493Z	0.11	0.00	2	SEM SERVICES	SEM SERVICES
118	Skyline Homes at Del Rio (DEF1)	2021-2676	C2R	Harris	City	533L	0.24	0.00	6	SKYLINE HOME BUILDERS, LLC,	MOMENTUM ENGINEERING
119	Solar Street	2021-2852	C2R	Harris	City	493A	0.31	0.00	2	GIGA Construction LLC	South Texas Surveying Associates, Inc.
120	South Main partial replat no 1	2021-2907	C2R	Harris	City	571F	33.43	32.43	0	Clay Development	Gruller Surveying
121	TDL Golden Investment Inc Development	2021-2758	C2R	Harris	ETJ	369G	1.21	1.21	0	Teran Group	Teran Group LLC
122	Vietnamese Church Of Christ Houston	2021-2846	C2R	Harris	ETJ	411C	1.20	1.20	0	Vietnamese Church Of Christ Houston	E.I.C. Surveying Company
123	Village at Archer Acres	2021-2885	C2R	Harris	City	453H	0.68	0.26	6	Hass Associates LLC	CGES Bailey Planning
124	Villareal Estates at Canal	2021-2889	C2R	Harris	City	494U	0.23	0.00	4	New Era Development	New Era Development
125	Villas at West 16th Street	2021-2935	C2R	Harris	City	452Y	0.15	0.00	2	CE Engineers & Development Consultants, Inc	CE Engineers & Development Consultants, INC
126	Welch Street Green	2021-1488	C2R	Harris	City	493N	0.11	0.00	2	Mazzarino Construction	Total Surveyors, Inc.
127	Welch Street Grove	2021-1489	C2R	Harris	City	493N	0.11	0.00	2	Mazzarino Construction	Total Surveyors, Inc.
128	West Orem Point	2021-2931	C2R	Harris	City	571L	4.04	4.04	0	N/A	The Interfield Group
129	Wheatley Estates (DEF1)	2021-2665	C2R	Harris	City	412P	0.16	0.00	2	Stupa International, LLC	ICMC GROUP INC
130	Whitney Villas	2021-1487	C2R	Harris	City	493N	0.11	0.00	2	Mazzarino Construction	Total Surveyors, Inc.

Platting Summary**Houston Planning Commission****PC Date: December 16, 2021**

Item No.	Subdivision Plat Name	App No.	App Type	Location			Plat Data			Customer	
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131	Willeyvale Court	2021-2781	C2R	Harris	City	454L	0.28	0.00	2	Europa Homes	PLS CONSTRUCTION LAYOUT, INC
132	Wilmer Residences	2021-2960	C2R	Harris	City	494S	0.22	0.00	5	Merryn Holdings LLC	The Interfield Group
133	Yes Prep Airline Elementary	2021-2856	C2R	Harris	City	453B	6.23	6.23	0	PRD Land Development Services, LLC	Windrose
134	Yocum Gardens Plaza	2021-2862	C2R	Harris	City	451N	0.63	0.63	0	Panjwani Properties, LTD.	Century Engineering, Inc

C-Public Hearings Requiring Notification

135	Agua Estates Commercial	2021-2468	C3N	Harris	City	571H	0.11	0.11	0	Crown Castle	Vincent Gerard & Associates, Inc.
136	Art Colony at Museum District partial replat no 1	2021-2556	C3N	Harris	City	533B	0.21	0.00	3	ROC Homes	MOMENTUM ENGINEERING
137	Atwood Villas partial replat no 4	2021-2594	C3N	Harris	City	491Z	0.16	0.00	2	Mazzarino Construction	Total Surveyors, Inc.
138	Bayou Woods Sec 2 partial replat no 5	2021-2654	C3N	Harris	City	491G	4.75	0.00	2	Smith Family Homes, LLC	Total Surveyors, Inc.
139	East End Villas replat no 1 (DEF1)	2021-2412	C3N	Harris	City	494U	0.21	0.00	5	3h Engineering & Construction, Inc	PLS CONSTRUCTION LAYOUT, INC
140	Gaut partial replat no 2 (DEF1)	2021-2310	C3N	Harris	City	491Q	0.28	0.28	0	Park Place Longmont LLC	Survey 1, Inc.
141	June Gardens partial replat no 1	2021-2600	C3N	Harris	City	455K	0.21	0.00	2	3h Engineering & Construction, Inc	PLS CONSTRUCTION LAYOUT, INC
142	Kipp Texas Houston Veterans Memorial	2021-2624	C3N	Harris	ETJ	412F	26.16	26.16	0	Kuo & Associates, Inc	Kuo & Associates, Inc
143	Langham Creek Colony Sec 2 partial replat no 3	2021-2540	C3N	Harris	ETJ	408S	0.35	0.08	5	RMJ Realty, LLC	Owens Management Systems, LLC
144	Pelham Place Sec 3 partial replat no 1	2021-2239	C3N	Harris	City	454M	0.43	0.43	2	TTK Properties	Moon House Predevelopment LLC
145	Westheimer Estates partial replat no 13	2021-2564	C3N	Harris	City	491T	0.52	0.00	12	Multiplan Investments LLC	The Interfield Group

D-Variances

146	Anderson Ville (DEF1)	2021-2562	C3R	Harris	ETJ	572T	9.03	2.05	74	J. Morales Inc.	J. Morales
147	Breaktime at Westheimer	2021-2787	C2R	Harris	City	492U	0.36	0.36	0	Break Time Market	The Interfield Group
148	Chamon Power GP	2021-2766	GP	Harris	ETJ	418Q	662.50	0.00	0	SEM SERVICES	SEM SERVICES
149	Chamon Power Sec 1	2021-2768	C2	Harris	ETJ	418R	5.68	5.68	0	SEM SERVICES	SEM SERVICES
150	Ella Grovewood (DEF2)	2021-2669	C3P	Harris	City	452X	1.00	0.02	27	Lovett Homes	Tri-Tech Surveying Co., LP/Tri-Tech Engineering, LP
151	Ella Timbergrove (DEF2)	2021-2667	C3P	Harris	City	452X	3.56	0.06	77	Lovett Homes	Tri-Tech Surveying Co., LP/Tri-Tech Engineering, LP
152	Enclave at Rosehill GP (DEF2)	2021-2656	GP	Harris	ETJ	286J	88.91	0.00	0	Jacob White Construction	Texas Engineering And Mapping Company
153	George Heights (DEF1)	2021-2551	C2R	Harris	City	453X	0.21	0.00	4	Ten George LP	The Interfield Group
154	George Mansions (DEF1)	2021-2532	C2R	Harris	City	453X	0.21	0.00	4	Thwelve DeGeorge LP	The Interfield Group

Platting Summary**Houston Planning Commission****PC Date: December 16, 2021**

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
155	George Oaks (DEF1)	2021-2534	C2R	Harris	City	453X	0.26	0.00	5	Thirteen DeGeorge LP	The Interfield Group
156	Glendale partial replat no 1 (DEF2)	2021-2486	C2R	Harris	City	495K	15.02	15.02	0	WH Houston LLC	Texas Legal Media
157	Green Scapes	2021-2969	C2	Harris	ETJ	445S	0.42	0.42	0	Brooks and Sparks	West Belt Surveying, Inc.
158	Ismaili Center Houston	2021-2783	C2R	Harris	City	493J	11.08	11.04	0	Duplantis Design Group, PC	Windrose
159	Katy Lakes GP (DEF2)	2021-2599	GP	Harris	City/ ETJ	405S	539.00	0.00	0	Mini-B, Inc.	LJA Engineering, Inc.- (Houston Office)
160	Ly Liquor on Navigation (DEF2)	2021-2479	C2	Harris	City	494P	0.10	0.10	0	CSF Consulting LP	CSF Consulting LP
161	Nine Thirteen McKee	2021-2619	C2R	Harris	City	493M	0.54	0.54	0	Sandlot Engineering	MBCO Engineering
162	Rideau Landing	2021-2930	C2R	Harris	City	533M	0.16	0.00	1	ID Builders	Owens Management Systems, LLC
163	Spears Road Tract South	2021-2842	C3P	Harris	ETJ	372J	49.43	3.20	165	JONES & CARTER, INC.	Jones Carter - Woodlands Office
164	Spring Park West	2021-2906	C2	Harris	ETJ	292S	4.69	4.69	0	PRIME PARK PROPERTIES, LLC	Atkinson Engineers

E-Special Exceptions

165	Allison Park GP (DEF1)	2021-2717	GP	Harris	City	574T	112.60	0.00	0	Homesite Residential LLC	Meta Planning + Design LLC
166	Allison Park Sec 4	2021-2958	C3R	Harris	City	574T	18.30	5.03	75	Allison 64 Partners	Meta Planning + Design LLC
167	Allison Park Sec 5	2021-2938	C3R	Harris	City	574T	16.10	1.10	95	Allison 64 Partners	Meta Planning + Design LLC
168	Allison Park Sec 6	2021-2940	C3R	Harris	City	574T	13.50	0.39	90	Allison 64 Partners	Meta Planning + Design LLC
169	Allison Park Sec 7	2021-2947	C3R	Harris	City	574T	13.90	0.79	88	Allison 64 Partners	Meta Planning + Design LLC
170	Allison Park Sec 8	2021-2957	C3R	Harris	City	574P	21.80	8.03	91	Allison 64 Partners	Meta Planning + Design LLC
171	Elyson Sec 53	2021-2890	C3P	Harris	ETJ	404M	22.80	9.41	45	NASH FM 529 LLC	Meta Planning + Design LLC

F-Reconsideration of Requirements

172	Houston Methodist Cypress Hospital (DEF1)	2021-2823	C2	Harris	ETJ	367F	105.37	105.37	0	Kuo & Associates, Inc	Kuo & Associates, Inc
173	Park At Anserra GP	2021-2911	GP	MULTIPLE	Outside ETJ	483C	99.76	0.00	0	IDV Development	Jones Carter
174	Perry Road Development	2021-2922	C3P	Harris	ETJ	369G	18.02	18.02	0	Kimley-Horn	Windrose
175	Porter Mercado	2021-2959	C2	Montgomery	ETJ	296K	6.89	6.88	0	BKS Texas Enterprises Inc.	Hovis Surveying Company Inc.

G-Extensions of Approval

176	Aragoste Parkway Street Dedication Sec 2	2021-0372	EOA	Montgomery	ETJ	257F	6.34	0.00	0	Friendswood Development Company	LJA Engineering, Inc.- (Houston Office)
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Platting Summary**Houston Planning Commission****PC Date: December 16, 2021**

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
177	Bridgeland Cocoon Lane and Flowering Ivy Drive Street Dedication	2020-2430	EOA	Harris	ETJ	365K	2.81	0.00	0	Bridgeland Development, LP	McKim & Creed, Inc.
178	Four Oh Four Enterprises	2020-2109	EOA	Harris	City	335H	1.43	1.43	0	Turnkey, Inc.	Texas Engineering And Mapping Company
179	Hufsmith Business Park	2020-2350	EOA	Harris	ETJ	289X	6.69	6.69	0	Hufsmith Real Estates Partners, LLC	EHRA
180	Northland Boat and RV Storage North	2021-0099	EOA	Harris	ETJ	291K	5.61	5.61	0	KCS Greenleaf LLC	Core
181	Residence at Arbor Oaks	2020-2442	EOA	Harris	ETJ	369F	10.39	10.39	0	APC Land Holdings LLC	LJA Engineering, Inc.- (Houston Office)
182	SJS Addition	2020-2395	EOA	Harris	ETJ	408V	2.14	2.14	0	Vaquero Ventures Management, LLC	JPH
183	Tavola Sec 36	2021-0561	EOA	Montgomery	ETJ	257J	17.04	0.68	56	Friendswood Development Company	LJA Engineering, Inc.- (Houston Office)
184	Tavola Sec 39	2021-0032	EOA	Montgomery	ETJ	256H	10.72	2.44	53	Friendswood Development Company	LJA Engineering, Inc.- (Houston Office)
185	Tavola Sec 40	2021-0033	EOA	Montgomery	ETJ	256H	23.72	11.94	72	Friendswood Development Company	LJA Engineering, Inc.- (Houston Office)
186	Tavola Sec 41	2021-0289	EOA	Montgomery	ETJ	257K	20.74	1.88	89	Friendswood Development Company	LJA Engineering, Inc.- (Houston Office)
187	Tavola Sec 42	2021-0169	EOA	Montgomery	ETJ	257K	17.42	1.09	65	Friendswood Development Company	LJA Engineering, Inc.- (Houston Office)
188	Trinity Spring Oaks	2020-2272	EOA	Harris	ETJ	291K	6.01	6.01	0	Trinity SO PTN 2, LP	Atkinson Engineers
189	Zannahville	2021-0018	EOA	Harris	ETJ	326B	7.10	6.92	0	DBR Properties, LLC	E.I.C. Surveying Company

H-Name Changes

190	Trillium GP (prev. Bono Tract GP)	2021-2352	NC	Fort Bend	ETJ	526V	469.90	0.00	0	Taylor Morrison of Texas	Meta Planning + Design LLC
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I-Certification of Compliance

191	24768 Meadow Lane	21-1606	COC	Montgomery	ETJ	296L				Pablo Olascoaga	Pablo Olascoaga
192	18576 Wisp Willow Way	21-1607	COC	Montgomery	ETJ	295K				Delmin Reyes	Delmin Reyes
193	21255 W Memorial Drive	21-1608	COC	Montgomery	ETJ	296N				Jeffrey Greene	Jeffrey Greene

J-Administrative

None

Platting Summary**Houston Planning Commission****PC Date: December 16, 2021**

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

K-Development Plats with Variance Requests

194	707 Andrews Street	21071531	DPV	Harris	City	493P				Rick Grothues	Richard Grothues Designs, Inc.
195	6947 Linden Street	21091578	DPV	Harris	City	535E				Roberto Diaz	Diaz Group
196	3709 Locke Ln	21109173	DPV	Harris	City	492S				Mario Colina	Probstfeld & Associates Inc.
197	4521 N. Main Street	21018517	DPV	Harris	City	453X				Mike Pierce	PEA Group

Off-Street Parking with Variance Requests

IV	3001 Canal Street	21089360	PV	Harris	City	494N				Andrew Allemand	Beacon Land Services
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Houston Planning Commission **ITEM: 135**

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Agua Estates Commercial

Applicant: Vincent Gerard & Associates, Inc.



C – Public Hearings with Variances Site Location

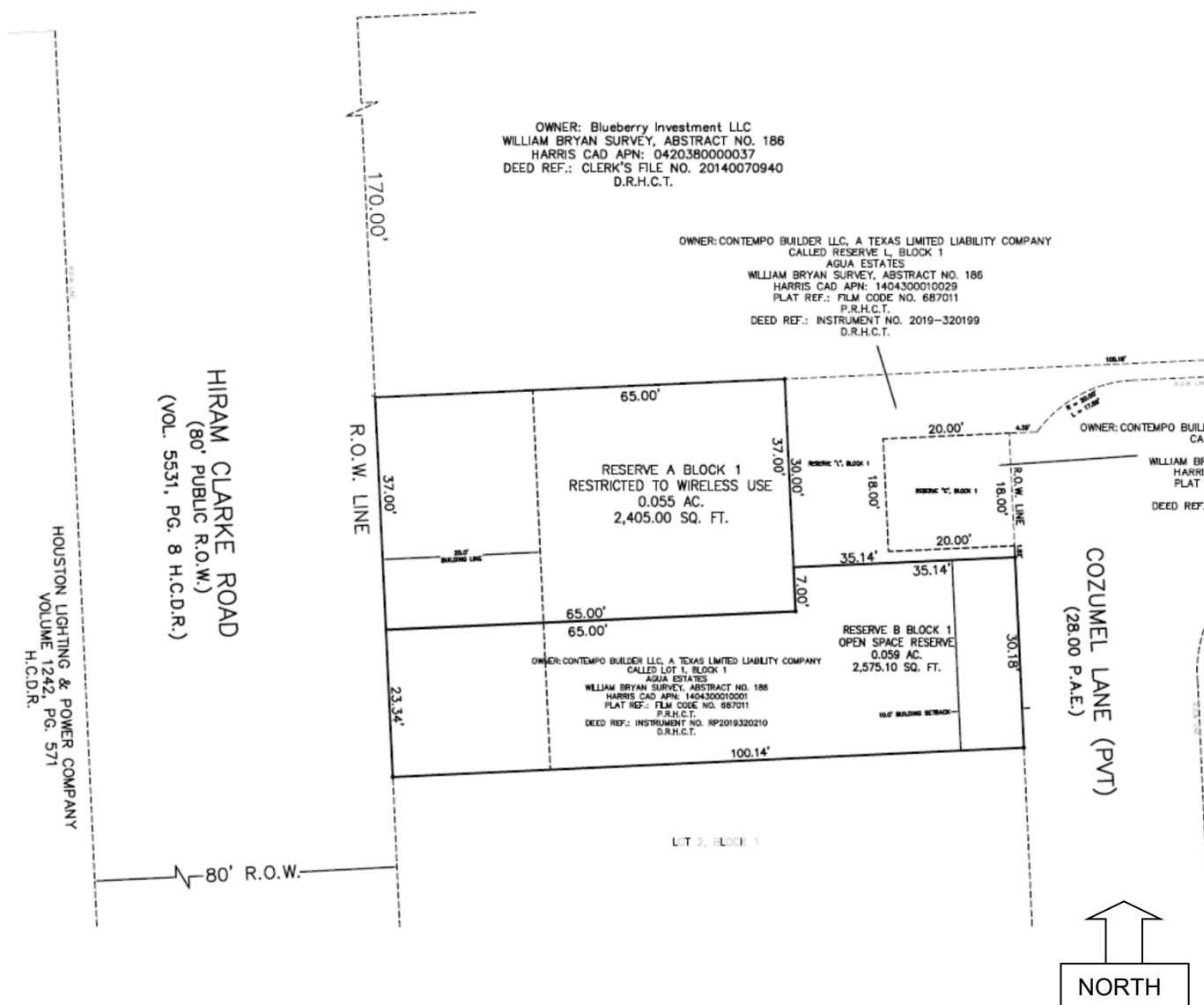
Houston Planning Commission ITEM: 135

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Agua Estates Commercial

Applicant: Vincent Gerard & Associates, Inc.



C – Public Hearings with Variances Subdivision

Houston Planning Commission

ITEM: 135

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Agua Estates Commercial

Applicant: Vincent Gerard & Associates, Inc.



C – Public Hearings with Variances

Aerial



Application Number: 2021-2468

Plat Name: Agua Estates Commercial

Applicant: Vincent Gerard & Associates, Inc.

Date Submitted: 10/15/2021

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:

(1) We request a variance from Sect. 42-193 to replat a portion of a lot and an open space reserve into a reserve restricted to cell tower use only, for the purpose of changing the land use from a landscape area to a cell tower use. (2) We request a variance from Sect. 42-190 for not meeting the minimum size and frontage requirements for reserve restricted to cell tower.

Chapter 42 Section: 190 & 193

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 - All other. Minimum size - 5,000 sq. ft. Type of Street - Public street. Minimum Street Width - 60' (50' in a street width exception area). Minimum Street Frontage - 60'. Sec. 42-193. - Rules governing partial replats of certain property. (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

We request a variance from Sect. 42-193 to replat a portion of a lot and an open space reserve into a reserve restricted to cell tower wireless use. This should have been platted as an unrestricted reserve originally as the lease document for the cell tower was noted in the original subdivision. We also request a variance from Sect. 42-190 from the requirement to provide a 60-foot wide minimum frontage access and a to provide a minimum size of 5,000 sq. ft. for a reserve. We have an existing unmanned use on an uninhabitable structure. There is currently an existing cellular tower on the reserve tract, and will only be accessed infrequently for maintenance from Hiram Clarke Rd. 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.

(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 original subdivision designer, recognizing the existing land use, as noted on the

subdivision document, references the cell tower company lease on the original Aqua 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 decided to make Lot 1 into a dog park for residents. The plat 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 a portion of a lot and 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. We do not believe that the granting of these 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 reserve, where the technician will only access the site for regular maintenance. Lot 1 is to become a dog park and not to be a single family use, even though it was been platted as such.

(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 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. We also 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 decided to create a dog park for the community instead, in place of a single family residence.



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

November 22, 2021

Dear Property Owner:

Reference Number: 2021-2468; Agua Estates Commercial; partial replat of **Agua Estates** subdivision, being all of Lot 1 and a portion of Reserve L, in Block 1, as recorded at Film Code No. 687011 of the Harris County Map Records.

The property is located along and east of Hiram Clarke Road, south of W Airport Boulevard. The purpose of the replat is to create two (2) reserves. The applicant, **Vincent Huebinger**, with Vincent Gerard & Associates, Inc., on behalf of the developer, 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. A variance is being requested with this application. The variance(s) request is attached.

The Houston Planning Commission will hold a public meeting to consider this application.

PLANNING COMMISSION MEETING INFORMATION:

Thursday, December 16, 2021 at 2:30 PM
City Hall Annex Building, 900 Bagby Street
City Council Chamber, Public Level, Houston, Texas

Members of the public may make comments or express concerns about the proposed project by either attending the meeting at City Council Chamber listed above or attending the meeting via Microsoft Teams at the time listed above. The Microsoft Teams meeting will allow for a two-way video/ audio communication with the Houston Planning Commission. **For instruction on how to join the Microsoft Teams meeting, interested persons are advised to check our website 72 hours prior to the Planning Commission meeting: www.houstonplanning.com or Call: 832-393-6624.**

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. ALL comments submitted by the deadline 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 at least 24 hours in advance of the meeting to sign up to speak

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 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.
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Planning Commission Body, Authority and Obligation

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Planning Department Staff Authority and Obligation

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Houston Planning Commission **ITEM: 136**

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Art Colony at Museum District partial replat no 1

Applicant: MOMENTUM ENGINEERING



C – Public Hearings

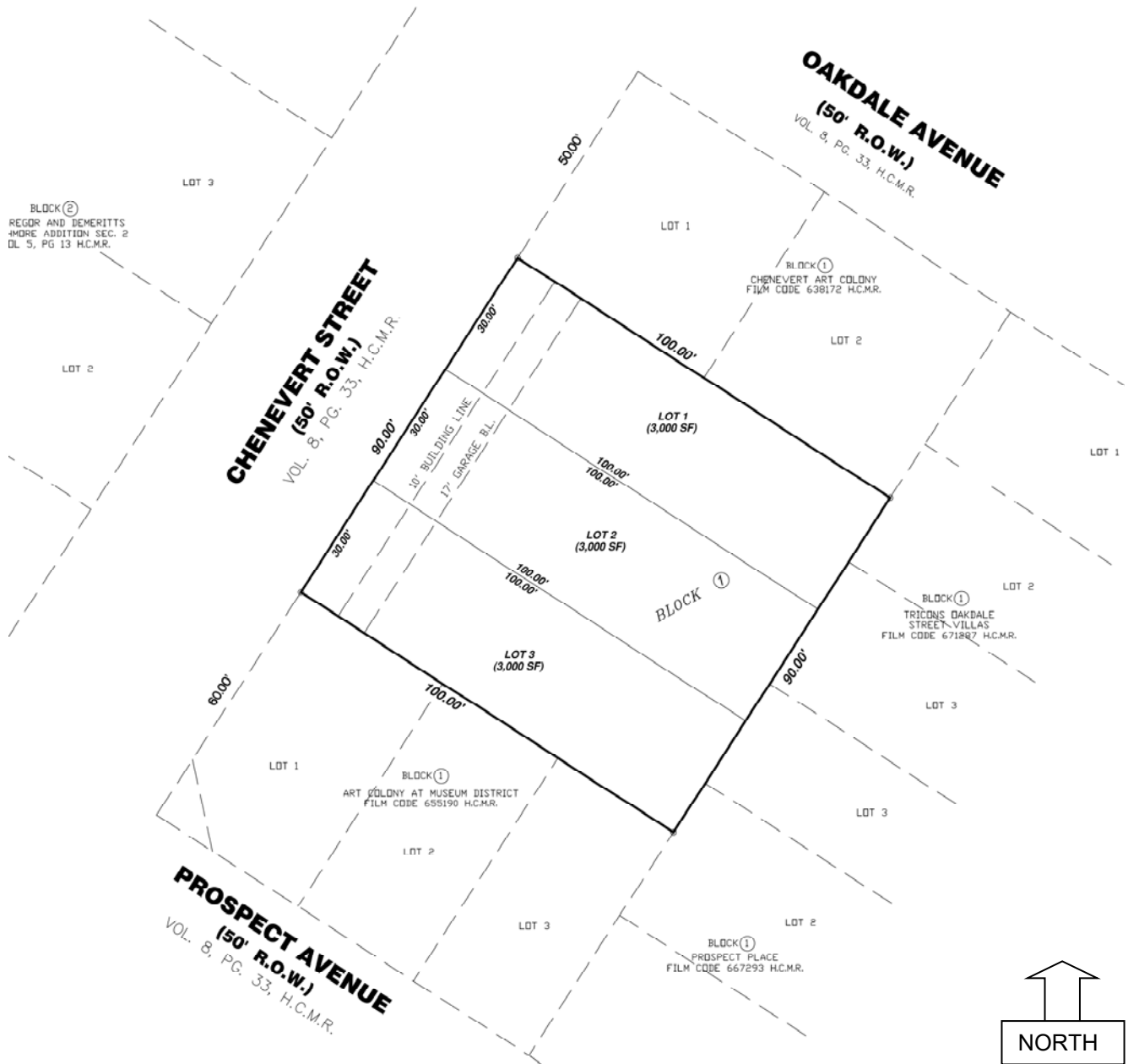
Site Location

ITEM: 136

Meeting Date: 12/16/2021

Subdivision Name: Art Colony at Museum District partial replat no 1

Applicant: MOMENTUM ENGINEERING



C – Public Hearings

Subdivision

Houston Planning Commission ITEM: 136

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Art Colony at Museum District partial replat no 1

Applicant: MOMENTUM ENGINEERING



C – Public Hearings

Aerial



CITY OF HOUSTON
Planning and Development

Sylvester Turner
Mayor

Public Hearing Notice



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

T. 832.393.6600
F. 832.393.6661
www.houstontx.gov

November 22, 2021

Dear Property Owner:

Reference Number: 2021-2556; Art Colony at Museum District partial replat no 1; partial replat of **Art Colony at Museum District**, being Lots 4 thru 7, Block 1, as recorded at Film Code No. 655190 of the Harris County Map Records.

The property is located along and southeast of Chenevert Street between Prospect Street and Oakdale Street. The purpose of the replat is to create three (3) single-family residential lots. The applicant, **Shahnawaz Ghanchi**, with Momentum Engineering, on behalf of ROC Homes, can be contacted at **281-741-1998 Ext 109**.

Pursuant to Local Government Code 212.015 and the City of Houston's Code of Ordinances, Chapter 42 the Planning Commission has established a public hearing date for this item. As required, the Planning Department is sending you written notice of the public hearing. The requirements for notification specify that this notice be mailed to all owners of property within 250' of the boundary of the plat and all parcels along or across from a 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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The Houston Planning Commission will hold a public meeting to consider this application.

PLANNING COMMISSION MEETING INFORMATION:

Thursday, December 16, 2021, beginning at 2:30 p.m.
City Hall Annex Building, 900 Bagby Street
City Council Chamber, Public Level, Houston, Texas

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Houston Planning Commission

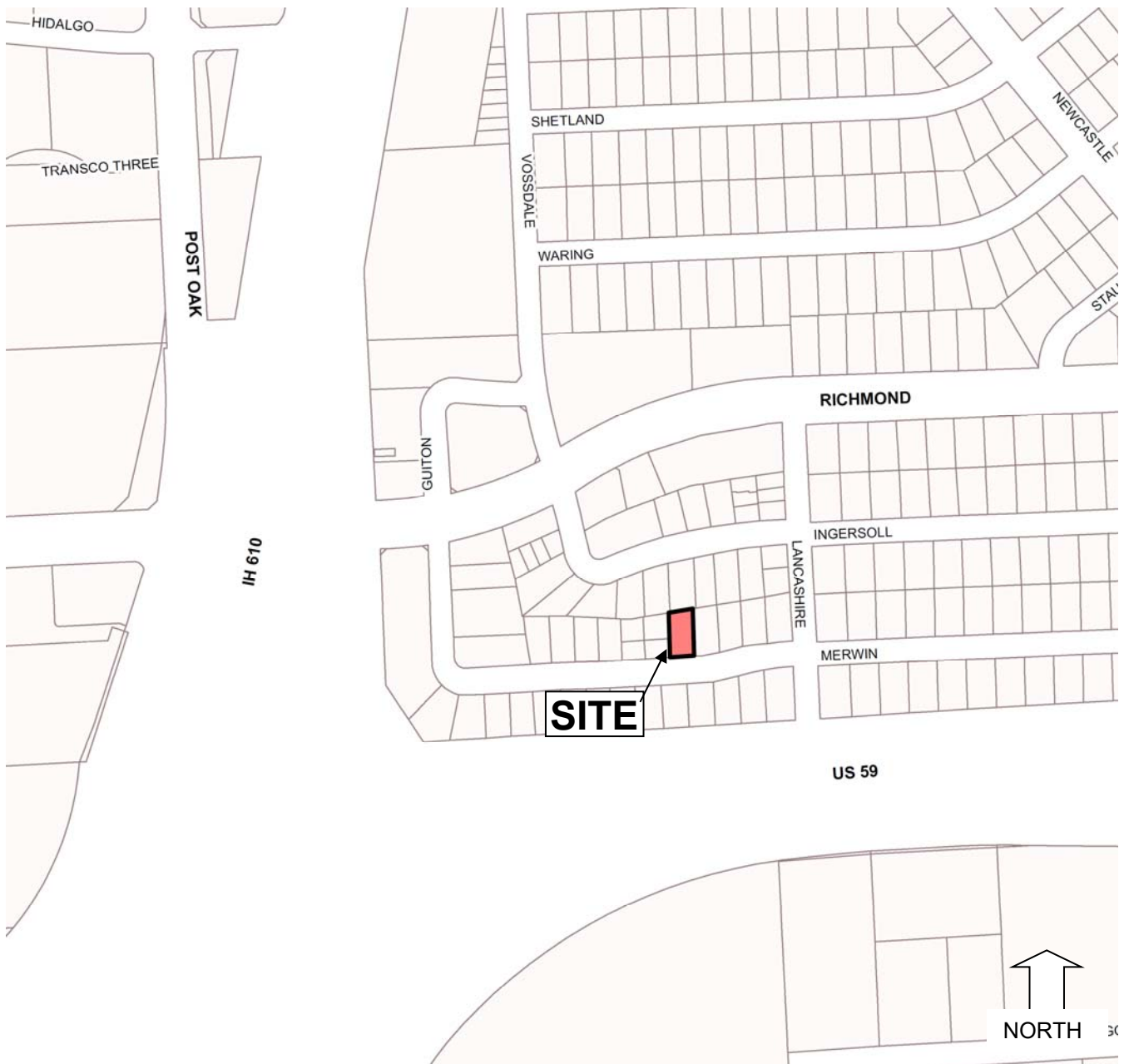
ITEM: 137

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Atwood Villas partial replat no 4

Applicant: Total Surveyors, Inc.



C – Public Hearings

Site Location

Houston Planning Commission

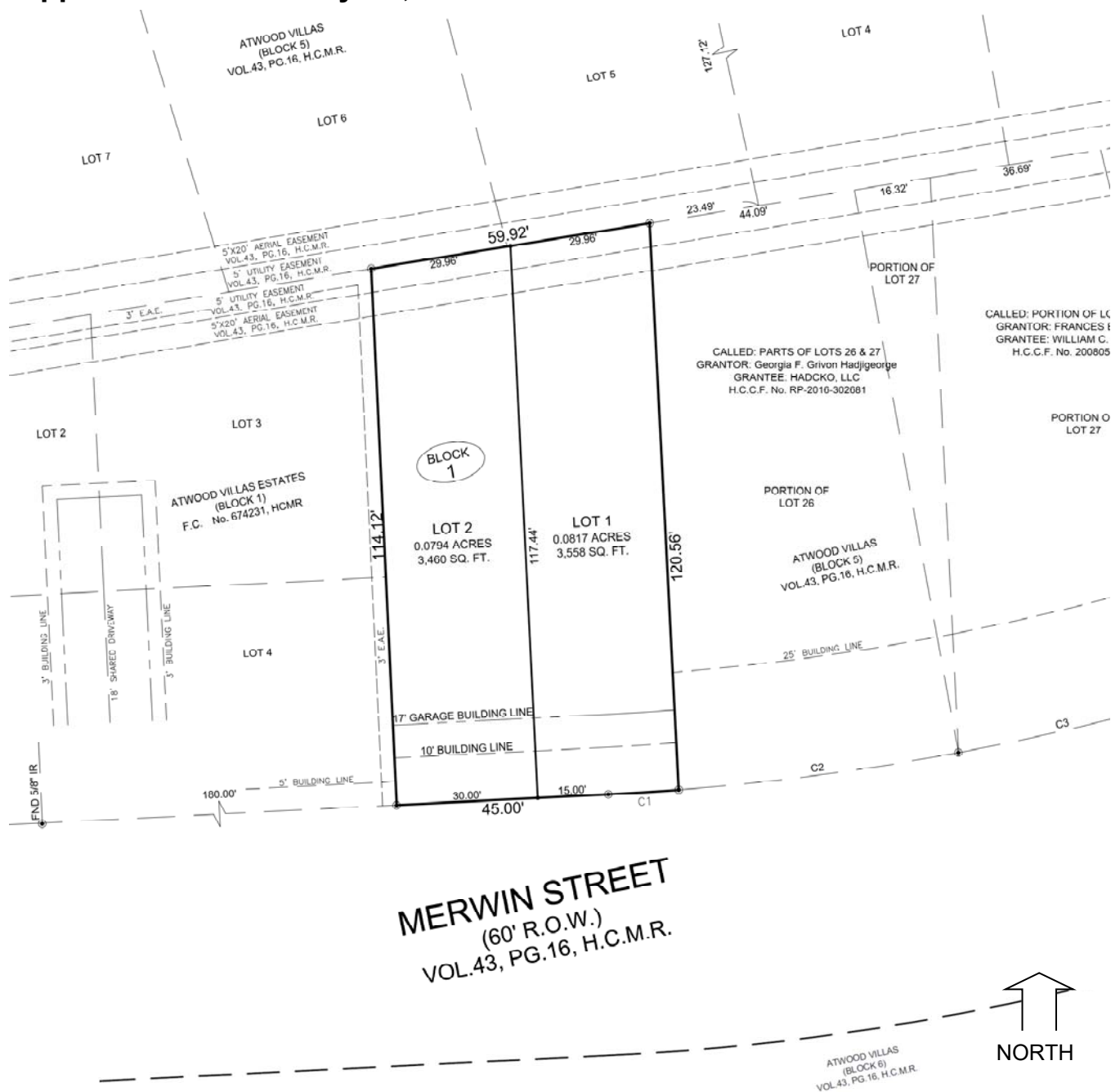
ITEM: 137

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Atwood Villas partial replat no 4

Applicant: Total Surveyors, Inc.



C – Public Hearings

Subdivision

Houston Planning Commission

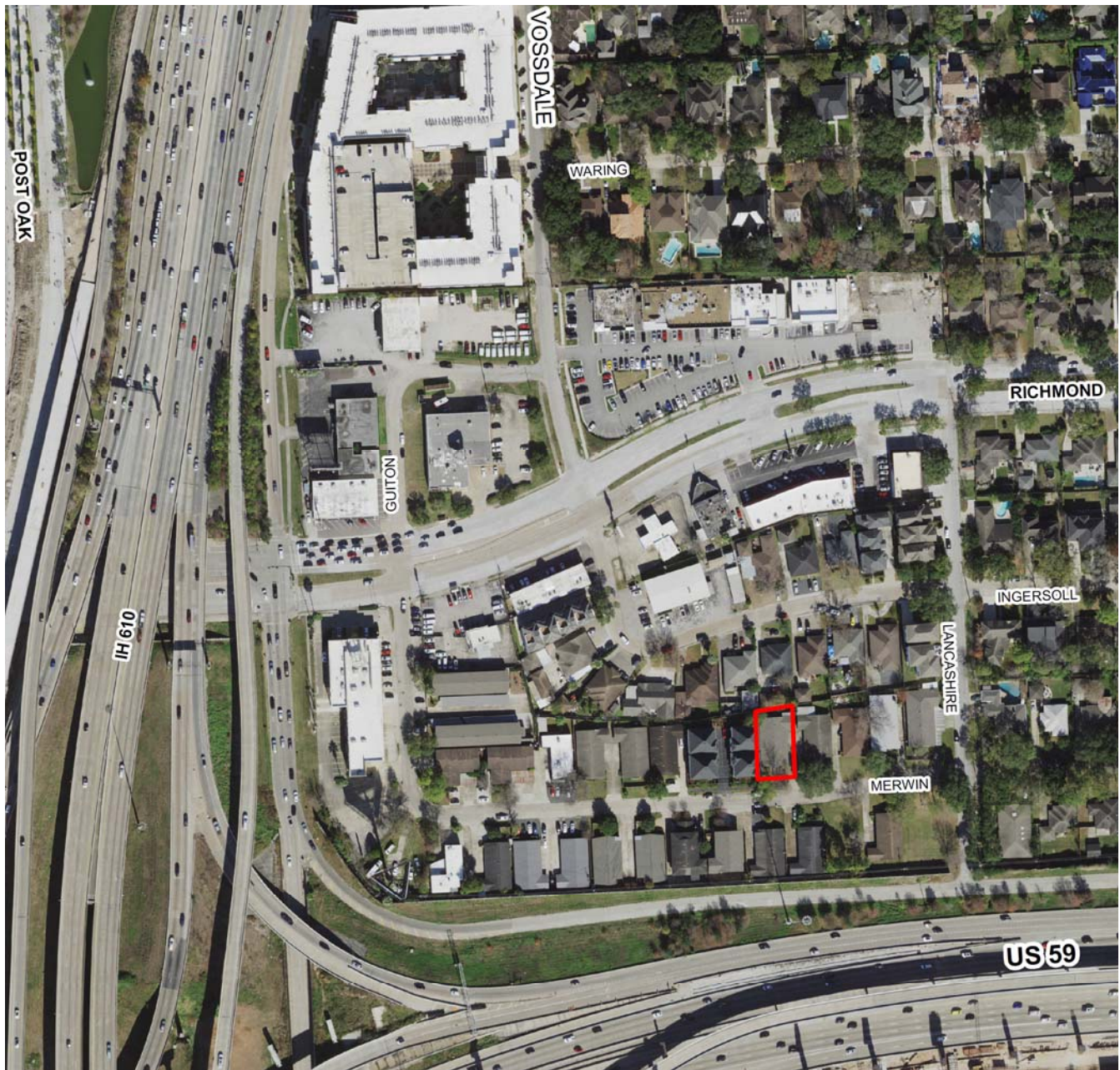
ITEM: 137

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Atwood Villas partial replat no 4

Applicant: Total Surveyors, 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

November 22, 2021

Dear Property Owner:

Reference Number: 2021-2594; Atwood Villas partial replat no 4; partial replat of **Atwood Villas**, being all of Lot 25 and a portion of Lot 26, in Block 5, as recorded in Volume 43, Page 16 of the Harris County Map Records.

The property is located along and north of Merwin Street, west of Lancashire Street. The purpose of the replat is to create two (2) single-family residential lots and modify the building lines. The applicant, **Kevin Kolb** with Total Surveyors, Inc., on behalf of the developer, Mazzarino Construction, 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.

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The Houston Planning Commission will hold a public meeting to consider this application.

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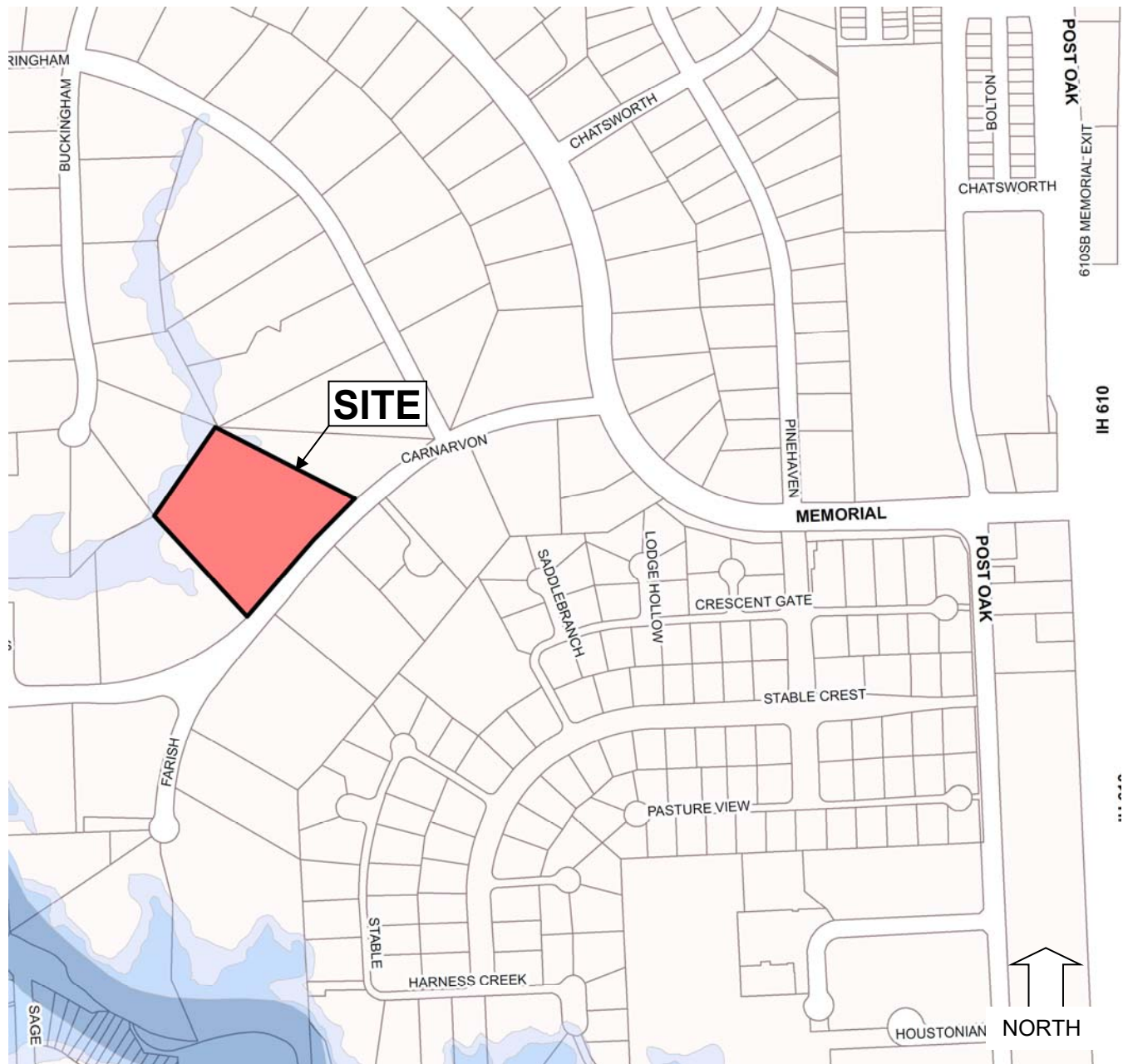
Houston Planning Commission **ITEM: 138**

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Bayou Woods Sec 2 partial replat no 5

Applicant: Total Surveyors, Inc.



C – Public Hearings

Site Location

Houston Planning Commission

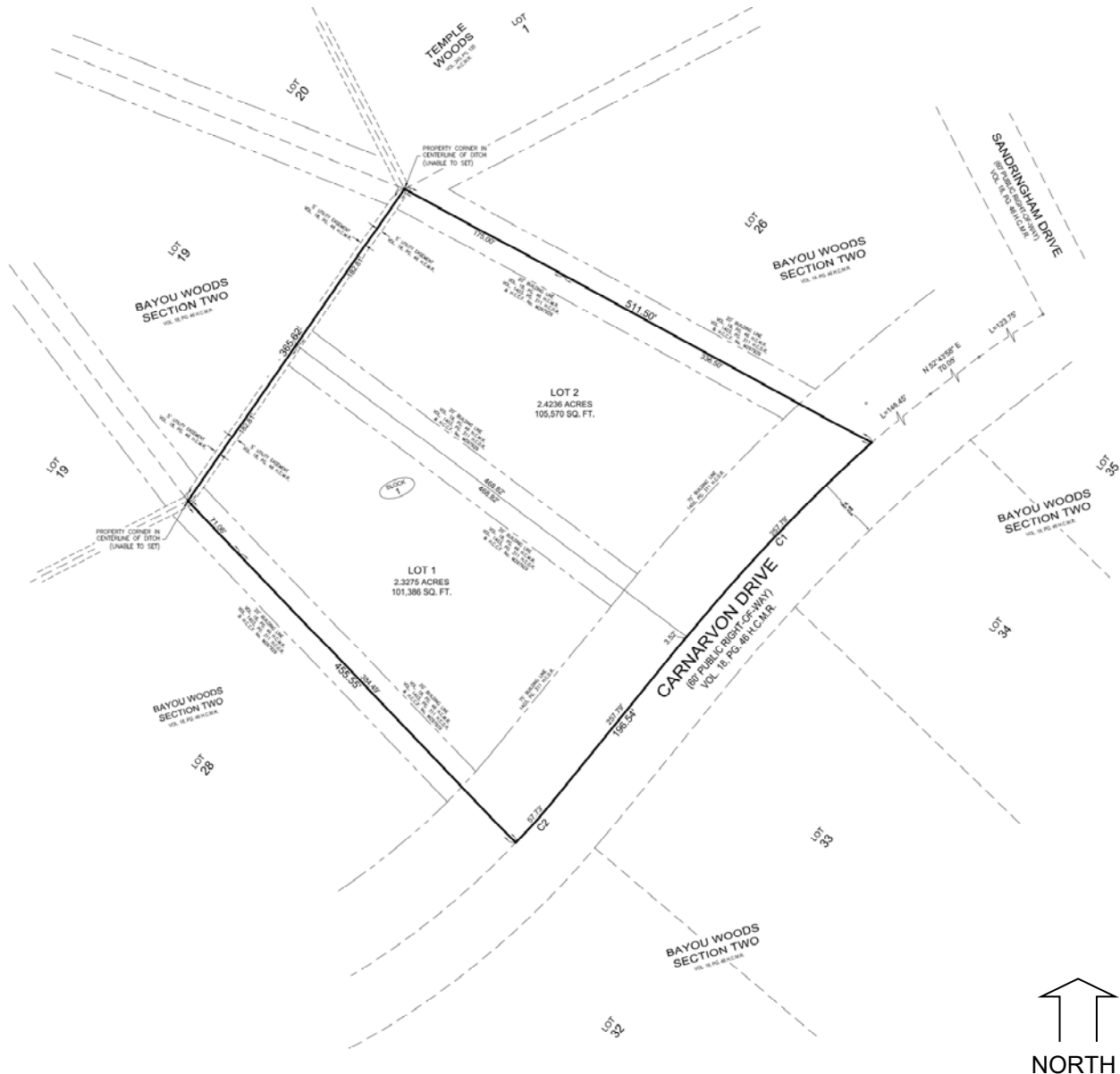
ITEM: 138

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Bayou Woods Sec 2 partial replat no 5

Applicant: Total Surveyors, Inc.



C – Public Hearings

Subdivision

Houston Planning Commission

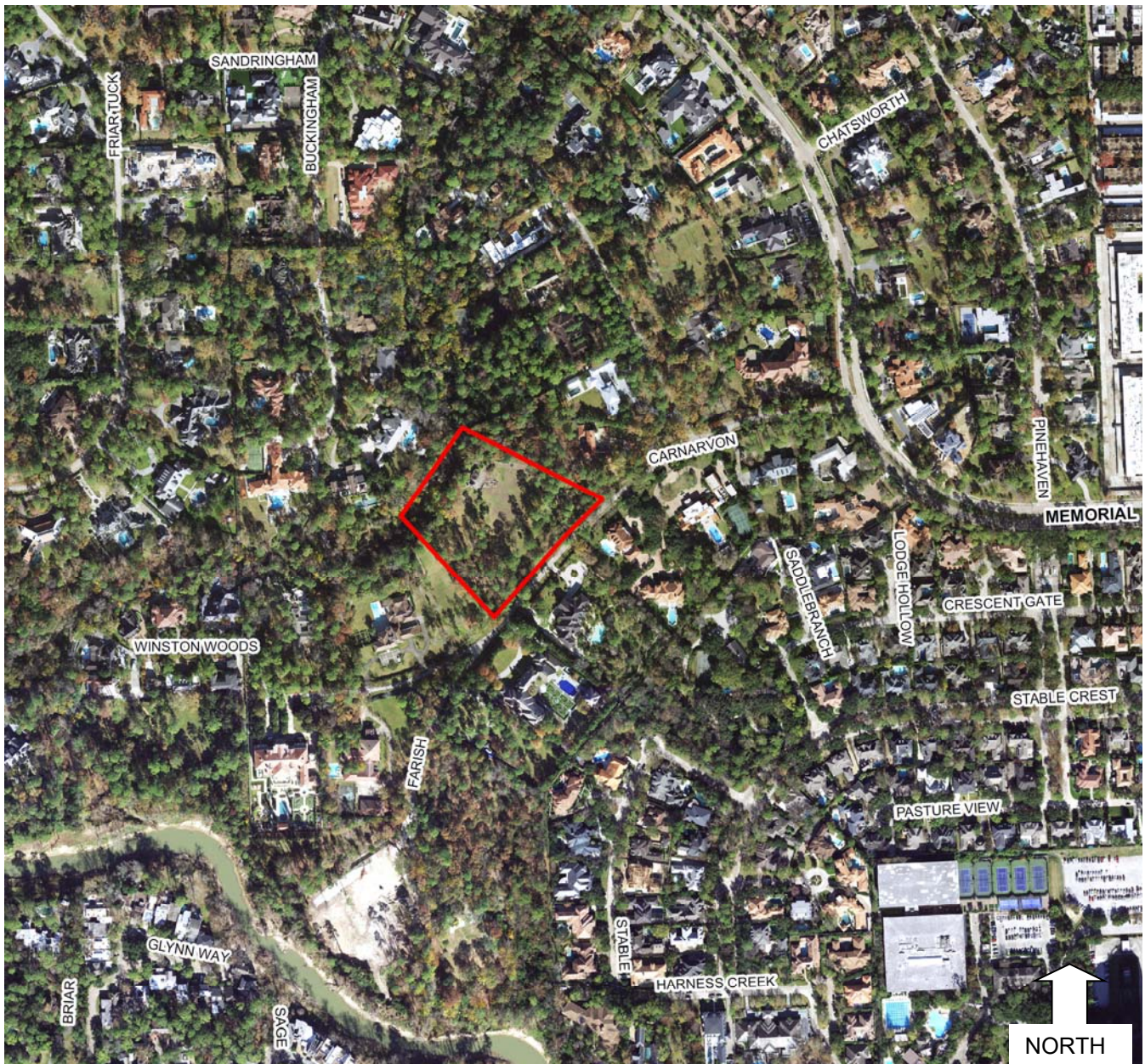
ITEM: 138

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Bayou Woods Sec 2 partial replat no 5

Applicant: Total Surveyors, 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

November 23, 2021

Dear Property Owner:

Reference Number: 2021-2654; Bayou Woods Sec 2 partial replat no 5; partial replat of **Bayou Woods Sec 2**, being all of Lot 27, as recorded in Volume 18, Page 46 of the Harris County Map Records.

The property is located along and north of Carnarvon Drive between Winston Woods Drive and Sandringham Drive. The purpose of the replat is to create two (2) single-family residential lots. The applicant, **Kevin Kolb** with Total Surveyors, Inc., on behalf of the developer, Smith Family Homes, LLC, can be contacted at **281-479-8719**.

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City Council Chamber, Public Level, Houston, Texas

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Houston Planning Commission

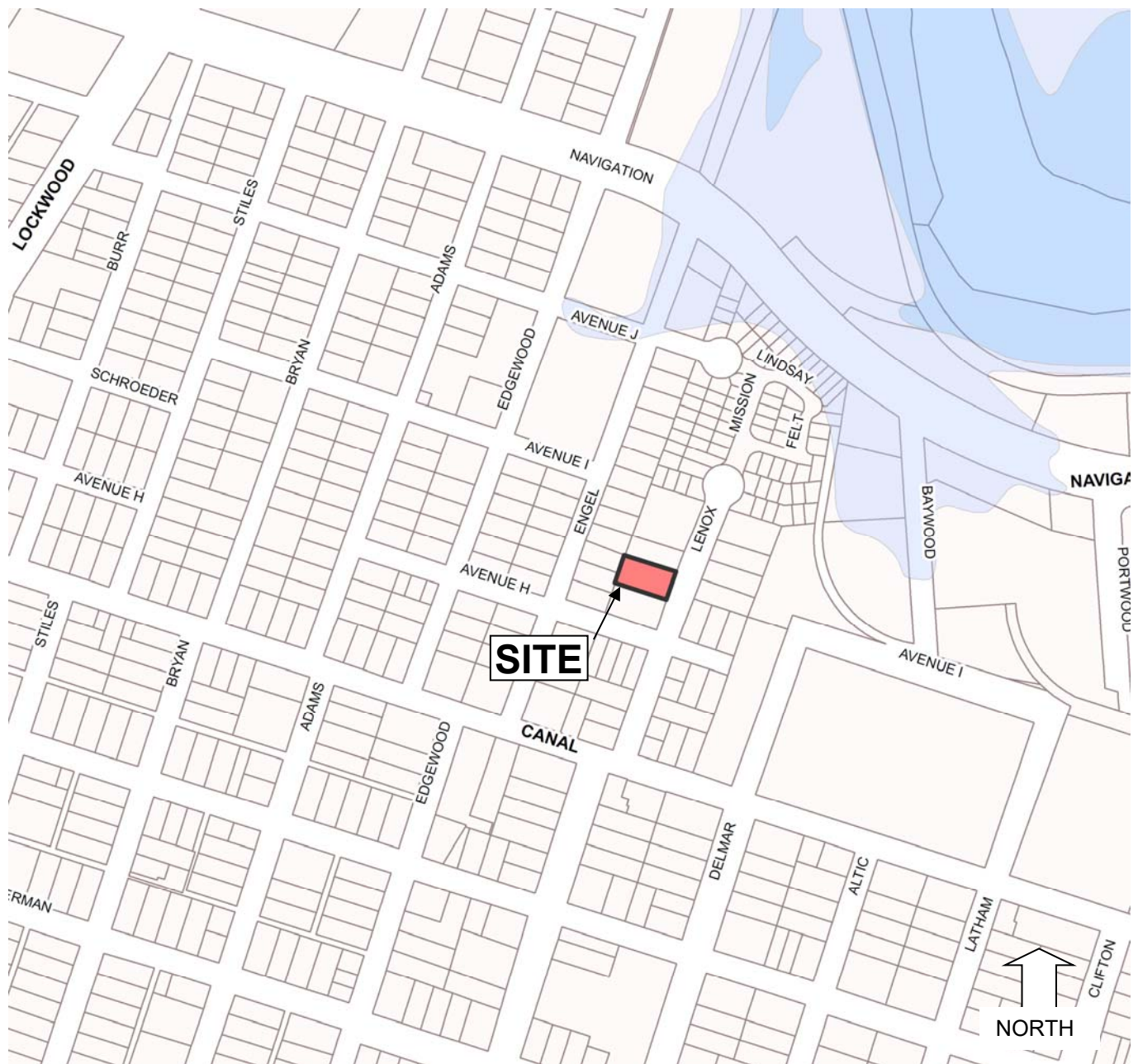
ITEM: 139

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: East End Villas replat no 1 (DEF 1)

Applicant: PLS CONSTRUCTION LAYOUT, INC



C – Public Hearings

Site Location

Subdivision

Houston Planning Commission

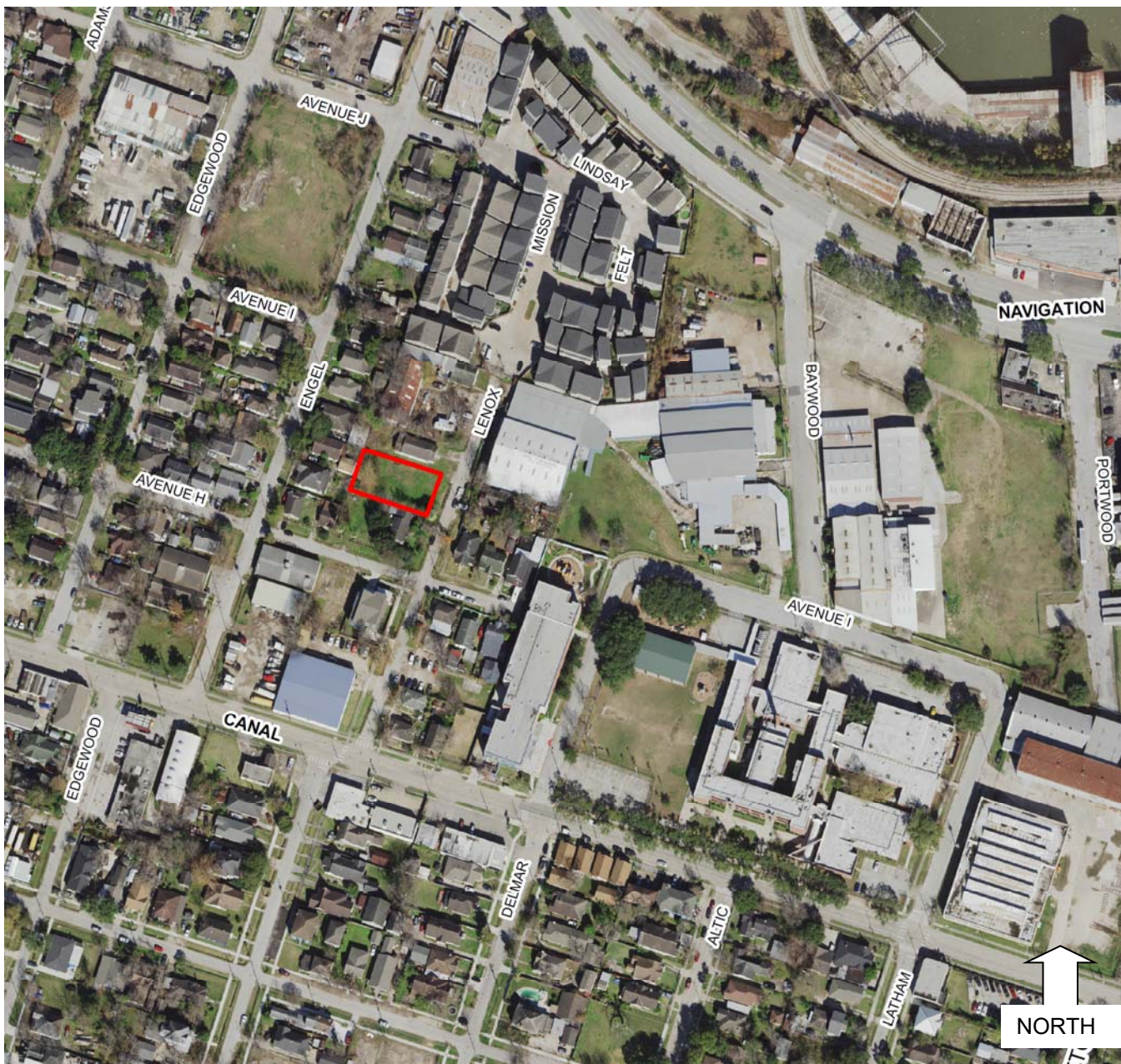
ITEM: 139

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: East End Villas replat no 1 (DEF 1)

Applicant: PLS CONSTRUCTION LAYOUT, 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

November 8, 2021

Dear Property Owner:

Reference Number: 2021-2412; East End Villas replat no 1; full replat of **East End Villas**, being Lots 1 & 2 of Block 1, as recorded in Film Code 684586 of the Harris County Map Records.

The property is located along and west of N. Lenox street, north of Avenue H and south of Navigation Blvd.

The purpose of the replat is to create 5 single-family residential lots and a shared driveway.

The applicant, **Uriel Figueroa** with PLS Construction Layout, Inc., on behalf of the developer, can be contacted at **713-480-4075**.

Pursuant to Local Government Code 212.015 and the City of Houston's Code of Ordinances, Chapter 42 the Planning Commission has established a public hearing date for this item. As required, the Planning Department is sending you written notice of the public hearing. The requirements for notification specify that this notice be mailed to all owners of property within 250' of the boundary of the plat and all parcels along or across from a blockface that abuts any street or private roadway extending 500 feet from the plat as measured along the centerline of any street or private roadway that abuts the boundary of the plat.

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PLANNING COMMISSION MEETING INFORMATION:

Thursday, December 2, 2021, beginning at 2:30 p.m.

City Hall Annex Building, 900 Bagby Street

City Council Chamber, Public Level, Houston, Texas

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

Planning Commission Body, Authority and Obligation

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- 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

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Houston Planning Commission

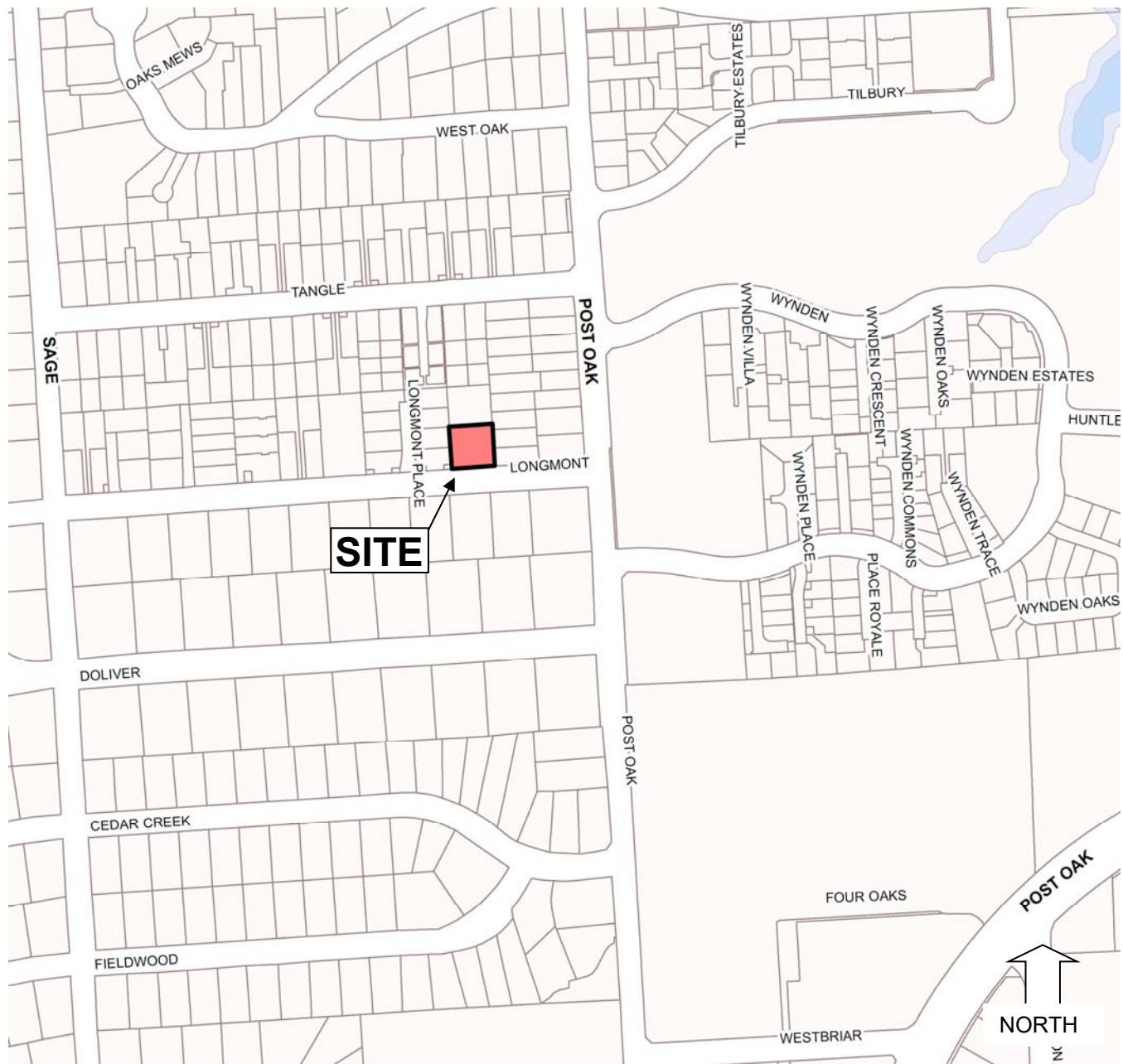
ITEM: 140

Planning and Development Department

Meeting Date: 12/16/2021

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

Applicant: Survey 1, Inc.



C – Public Hearings

Site Location

Meeting Date: 12/16/2021

Applicant: Survey 1, Inc.



Subdivision

Houston Planning Commission

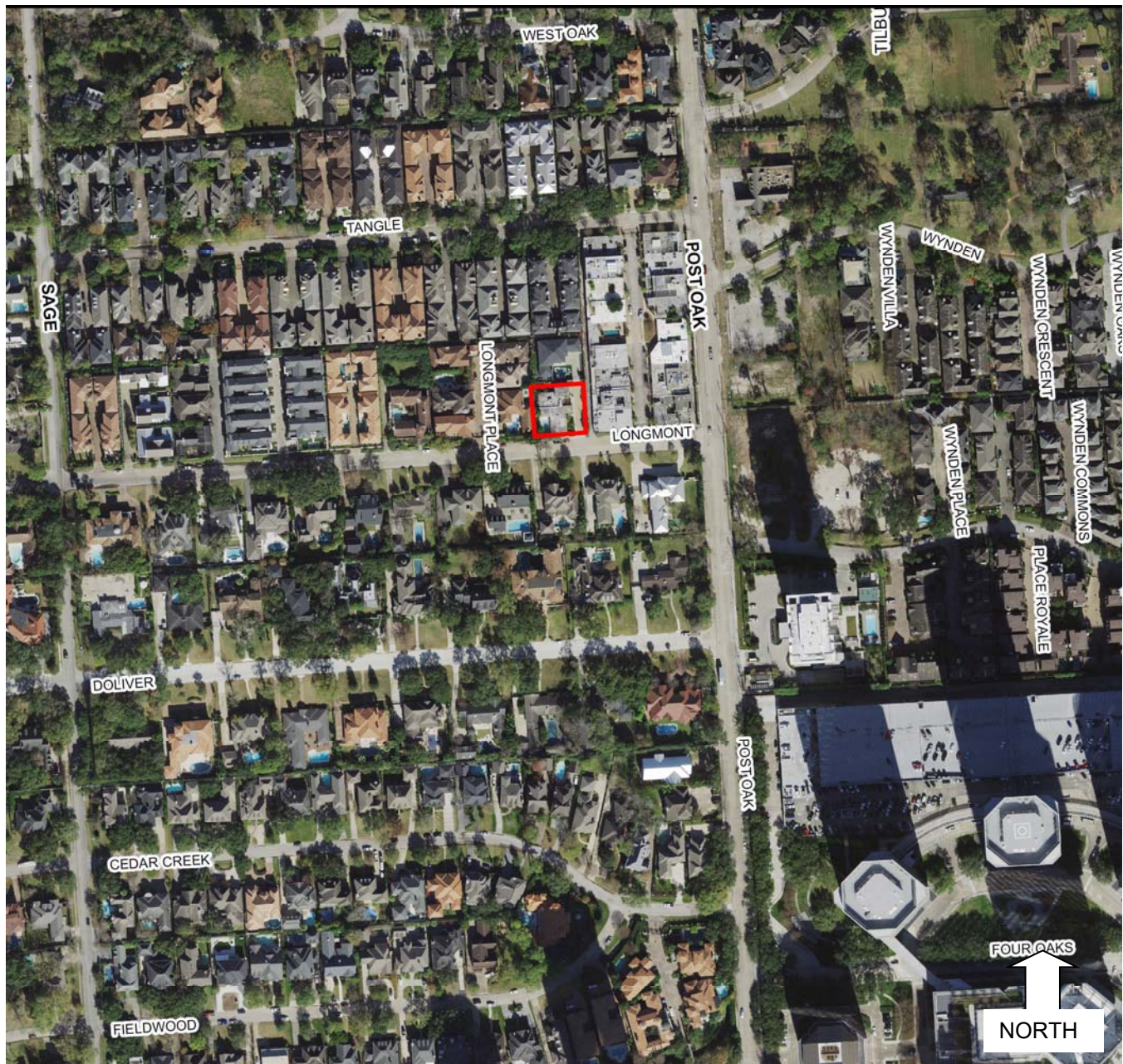
ITEM: 140

Planning and Development Department

Meeting Date: 12/16/2021

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

Applicant: Survey 1, 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

November 8, 2021

Dear Property Owner:

Reference Number: 2021-2310; Gaut partial replat no 2; a partial replat of **Gaut**, being a portion of Lot 4, Block E, as recorded in Volume 1, Page 29 of the Harris County Map Records.

The property is located north along Longmont Drive, west of South Post Oak Drive, north of San Felipe Street. The purpose of the replat is to create one (1) Unrestricted Reserve. The applicant, **Cathy Fontenot** with Survey 1, Inc., on behalf of the developer, Park Place Longmont LLC, can be contacted at **281-393-1382**.

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.

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. This replat does not include any variance requests. If the replat meets the subdivision rules and regulations of Chapter 42, 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. If you have any questions regarding this replat and/or the subdivision rules and regulations related to this plat, you may contact staff with the Planning and Development Department via email at planning.publichearing@houstontx.gov or call (832)393-6600.

The Houston Planning Commission will hold a public meeting to consider this application.

PLANNING COMMISSION MEETING INFORMATION:

Thursday, December 2, 2021, beginning at 2:30 p.m.
City Hall Annex Building, 900 Bagby Street
City Council Chamber, Public Level, Houston, Texas

Members of the public may make comments or express concerns about the proposed project by either attending the meeting at City Council Chamber listed above or attending the meeting via Microsoft Teams at the time listed above. The Microsoft Teams meeting will allow for a two-way video/ audio communication with the Houston Planning Commission. **For instruction on how to join the Microsoft Teams meeting, interested persons are advised to check our website 72 hours prior to the Planning Commission meeting: www.houstonplanning.com or Call: 832-393-6624.**

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. ALL comments submitted by the deadline will be made part of the meeting record. Speakers who signed up to speak will be allowed to make their comments during the meeting.

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

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

Terminology

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Planning Commission Body, Authority and Obligation

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Houston Planning Commission

ITEM: 141

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: June Gardens partial replat no 1

Applicant: PLS CONSTRUCTION LAYOUT, INC



C – Public Hearings

Site Location

Houston Planning Commission

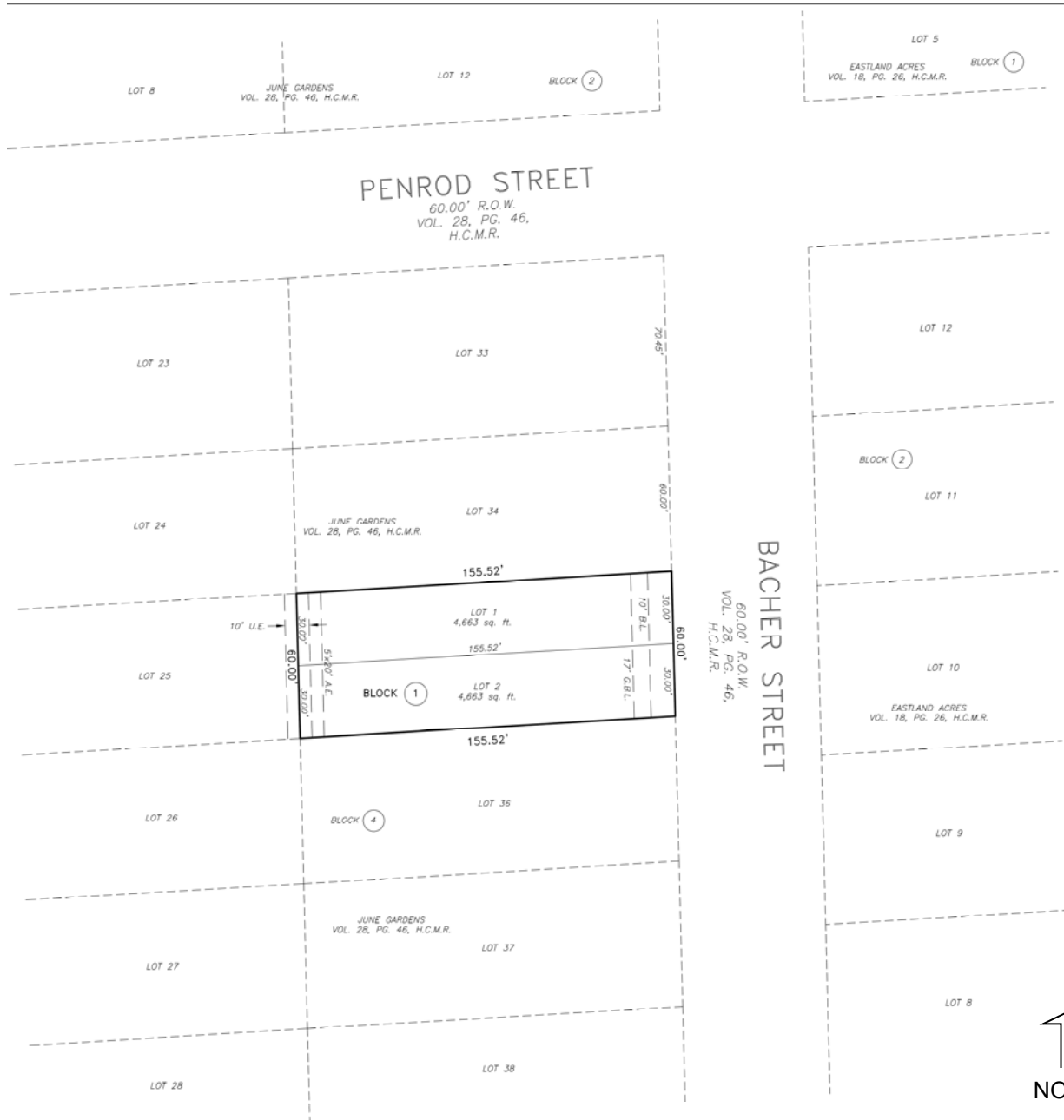
ITEM: 141

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: June Gardens partial replat no 1

Applicant: PLS CONSTRUCTION LAYOUT, INC



C – Public Hearings

Subdivision

Houston Planning Commission

ITEM: 141

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: June Gardens partial replat no 1

Applicant: PLS CONSTRUCTION LAYOUT, 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

November 23, 2021

Dear Property Owner:

Reference Number: 2021-2600; June Gardens partial replat no 1; partial replat of **June Gardens**, being all of Lot 35, in Block 4, as recorded in Volume 28, Page 46 of the Harris County Map Records.

The property is located along and west of Bacher Street between Penrod Street and Betty Poop Street. The purpose of the replat is to create two (2) single-family residential lots. The applicant, **Uriel Figueroa** with PLS Construction Layout, Inc., on behalf of the developer, 3h Engineering & Construction, Inc., can be contacted at **713-480-4075**.

Pursuant to Local Government Code 212.015 and the City of Houston's Code of Ordinances, Chapter 42 the Planning Commission has established a public hearing date for this item. As required, the Planning Department is sending you written notice of the public hearing. The requirements for notification specify that this notice be mailed to all owners of property within 250' of the boundary of the plat and all parcels along or across from a blockface that abuts any street or private roadway extending 500 feet from the plat as measured along the centerline of any street or private roadway that abuts the boundary of the plat.

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The Houston Planning Commission will hold a public meeting to consider this application.

PLANNING COMMISSION MEETING INFORMATION:

Thursday, December 16, 2021, beginning at 2:30 p.m.
City Hall Annex Building, 900 Bagby Street
City Council Chamber, Public Level, Houston, Texas

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Houston Planning Commission

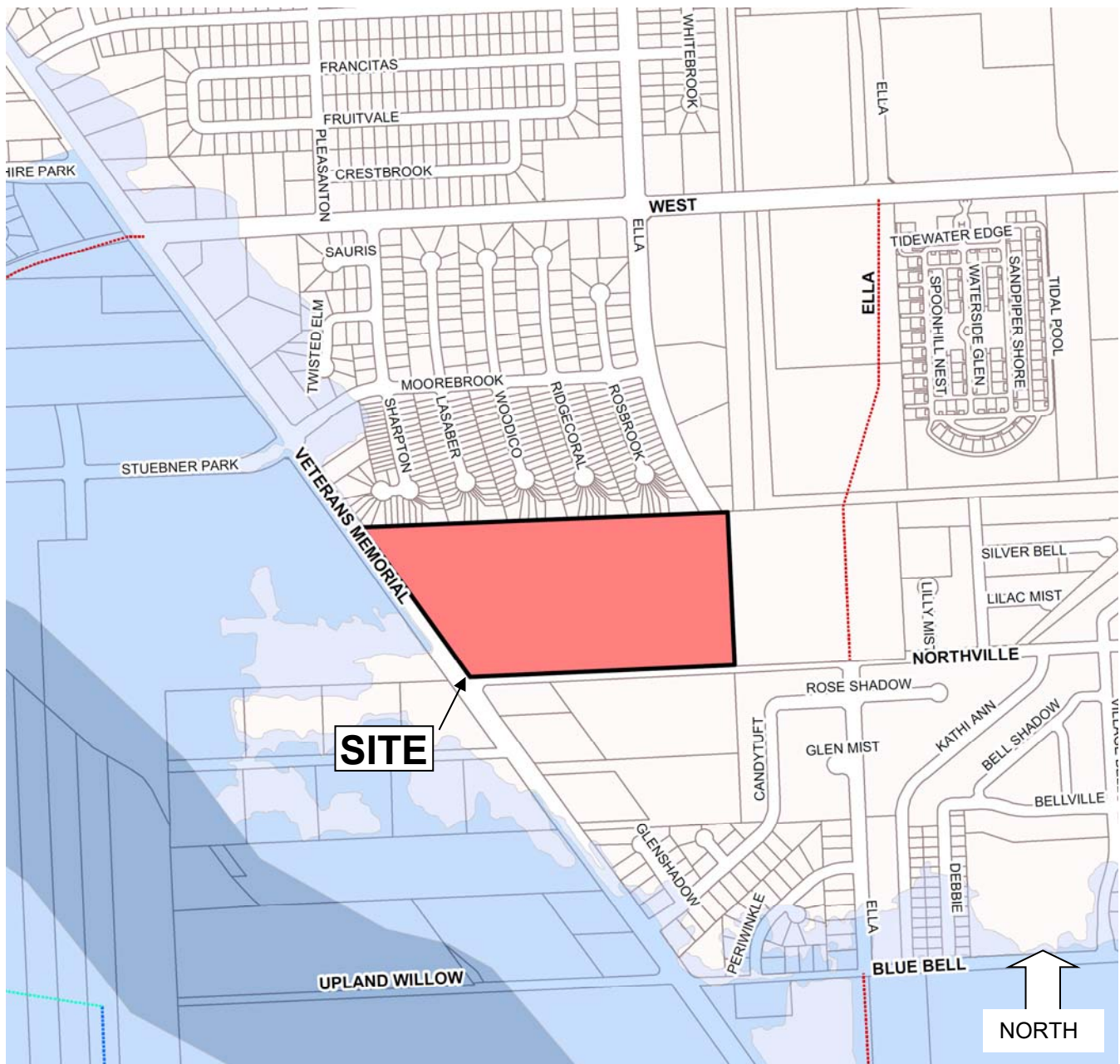
ITEM: 142

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Kipp Texas Houston Veterans Memorial

Applicant: Kuo & Associates, Inc



C – Public Hearings

Site Location

Houston Planning Commission ITEM: 142

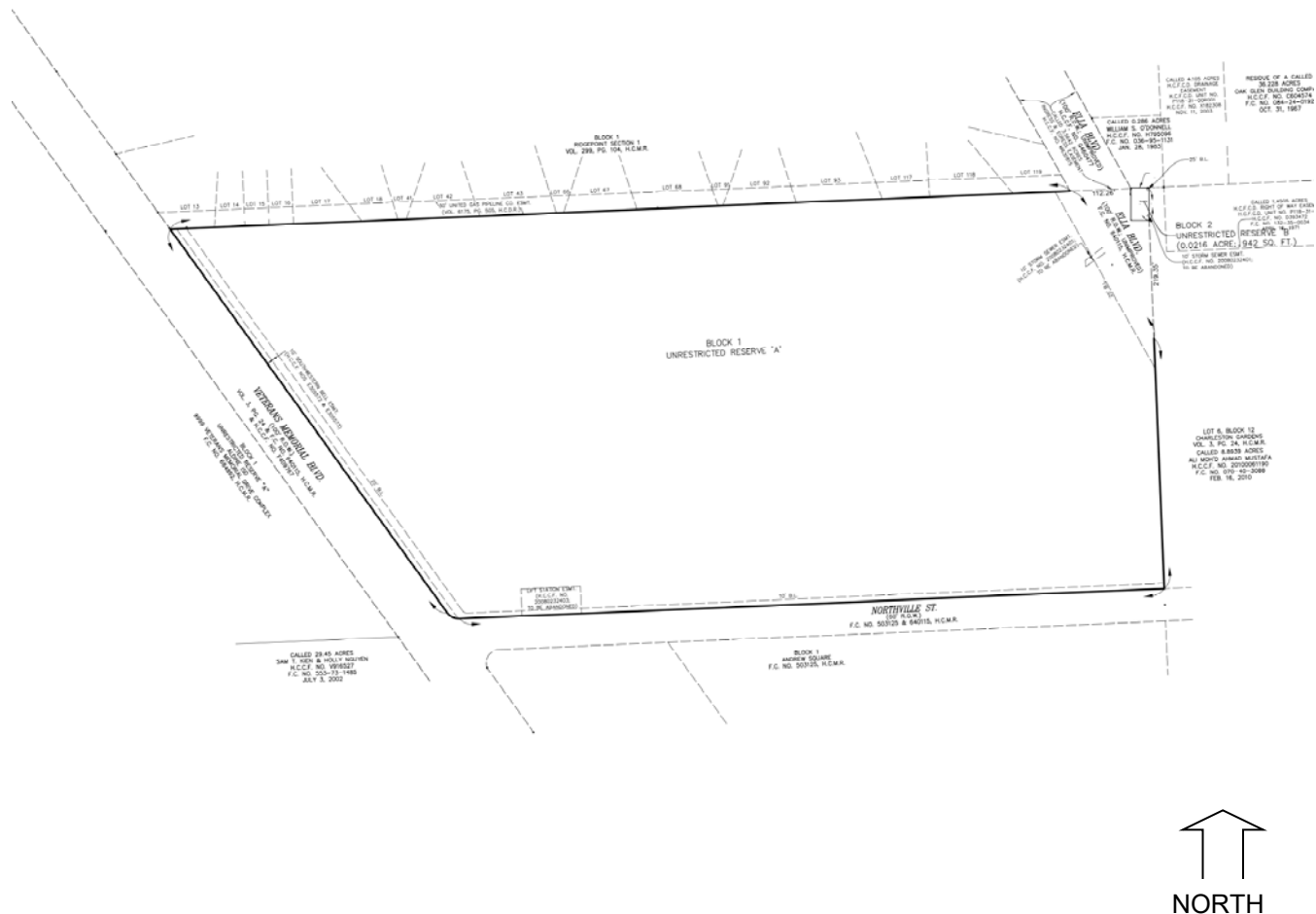
ITEM: 142

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Kipp Texas Houston Veterans Memorial

Applicant: Kuo & Associates, Inc



C – Public Hearings

Subdivision

Houston Planning Commission

ITEM: 142

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Kipp Texas Houston Veterans Memorial

Applicant: Kuo & Associates, Inc



C – Public Hearings

Aerial



CITY OF HOUSTON

Planning and Development

Sylvester Turner
Mayor

Public Hearing Notice



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

T. 832.393.6600
F. 832.393.6661
www.houstontx.gov

November 23, 2021

Dear Property Owner:

Reference Number: 2021-2624; Kipp Texas Houstons Veterans Memorial; full replat of **Northville Village**, as recorded at Film Code No. 640115 of the Harris County Map Records.

The property is located at the northeast intersection of Veterans Memorial Blvd and Northville street. The purpose of the replat is to abandoned private streets and utility easements to create two (2) reserves. The applicant, **Tuan Tran**, with Kuo Associates, Inc., can be contacted at **713-975-8769**.

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

Council Members: Amy Peck Tarsha Jackson Abbie Kamin Carolyn Evans-Shabazz Dave Martin Tiffany D. 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 Brown

1. Send email to: speakercomments.pc@houston.tx.gov,

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Houston Planning Commission

ITEM: 143

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Langham Creek Colony Sec 2 partial replat no 3

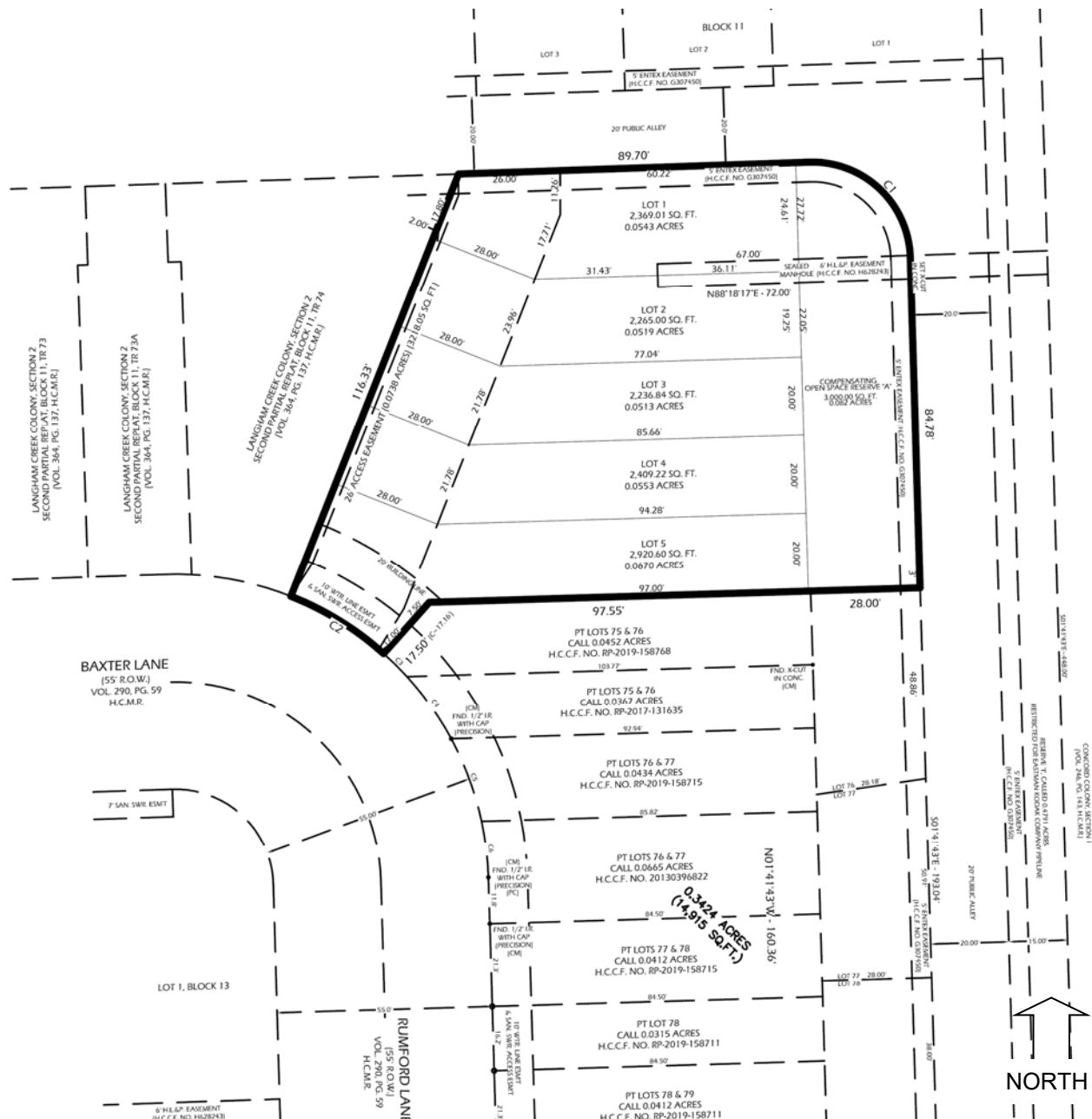
Applicant: Owens Management Systems, LLC



C – Public Hearings with Variance Site Location

Meeting Date: 12/16/2021

Applicant: Owens Management Systems, LLC



Subdivision

Houston Planning Commission

ITEM: 143

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Langham Creek Colony Sec 2 partial replat no 3

Applicant: Owens Management Systems, LLC



C – Public Hearings with Variance

Aerial



**PLANNING &
DEVELOPMENT
DEPARTMENT**

**APPLICANT'S
Variance Request Form**

Application Number: 2021-2540

Plat Name: Langham Creek Colony Sec 2 partial replat no 3

Applicant: Owens Management Systems, LLC

Date Submitted: 10/18/2021

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

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

Specific Variance is being sought and extent of variance:

Specific Variance is being sought and extent of variance: 1) To allow access to the proposed lots via a mutual access agreement instead of public right-of-way;

Chapter 42 Section: 188,

Chapter 42 Reference:

42-188 - (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. May be amended to permit single-family residential use of that property only if: [1] The typical lot size in the replat is not less than the typical lot size of lots in the preceding plat;

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;

42-188 - The site is located in Harris County Extra Territorial Jurisdiction (ETJ) at the intersection of Baxter Lane and Rumford Lane in the subdivision Langham Creek colony Sec 2. The plat is a replat of Reserve K (restricted to common area) and a portion of lot 75 and 76. The site has access to a public right of way (ROW) on the front (Baxter & Rumford) and a 20' alley on the back. The applicant is proposing five lots, that have an average size of 2,440 sq. ft., and a reserve for compensating open space (COS). Access to the alley for the lots has been denied because the distance from the site to the public ROW along the alleys (approximately 1,200 to 1,400 feet) can create safety issues. Because of this restriction, the frontage to the public ROW is reduced to 28 feet along Baxter Avenue and Rumford Lane limiting the options to develop the site. Since the main access to the proposed lots cannot be from the alley and no shared driveways are allowed on the ETJ, a 26' mutual access agreement is being proposed to give access to the proposed lots connecting the two public ROWs. The street at the front and the alley on the back. Strict application of the ordinance would make a project infeasible due to the unusual physical characteristics that the site has with the existing frontage of 28 feet along the public ROW and a 20' alley on the back that cannot be utilize as the main access to the site for a 15,200 sq. ft. property.

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

The existing 20' alley is being utilize by lots along Baxter and Rumford Lane for ingress and egress to their properties. By creating a 26' mutual access agreement that connects the front public ROW and the 20' alley on the back, the proposed lots can utilize the alley to access the site and be in conformance with safety standards.

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

The proposed 26' mutual access agreement that will connect the front public ROW and the 20' alley on the back will work as a shared driveway or private street. Harris County requires a minimum of 26' for an access easement. This will preserve and maintain the intent and general purpose of this chapter.

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

The proposed 26' mutual access agreement will provide two points of access to the proposed plat. One along the 55' public ROW and the other one along the 20' alley on the back. This will allow a direct access for emergency service from the 55' public ROW and a secondary access or exit through the 20' alley for people living in the proposed development. Allowing the proposed lots to have access via a mutual access agreement will not be injurious to the public health, safety or welfare.

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

The 26' mutual access agreement will connect the front public ROW and the 20' alley on the back. This will allow the proposed lots to have the same utilization of the alley as the existing adjacent properties.



PLANNING & DEVELOPMENT DEPARTMENT

APPLICANT'S Variance Request Form

Application Number: 2021-2540

Plat Name: Langham Creek Colony Sec 2 partial replat no 3

Applicant: Owens Management Systems, LLC

Date Submitted: 10/18/2021

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

Specific Variance is being sought and extent of variance:

Specific Variance is being sought and extent of variance: To allow the proposed compensating open space (COS) to have frontage along a 20' public alley instead of the required 12 feet of frontage along a street or shared driveway.

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: Restricted reserve to COS: 50 feet street or shared driveway width and 20 feet of frontage along a street or shared driveway.

Statement of Facts

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

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

The site is located in Harris County Extra Territorial Jurisdiction (ETJ) at the intersection of Baxter Lane and Rumford Lane in the subdivision Langham Creek colony Sec 2. The plat is a replat of Reserve K (restricted to common area) and a portion of lot 75 and 76. The site has access to a public right of way (ROW) on the front (Baxter & Rumford) and a 20' alley on the back. Five lots are being proposed. The proposed lots have an average size of 2,440 sq. ft. Since the performance standard for 60% lot coverage doesn't apply to Harris County Extra Territorial Jurisdiction (ETJ), a compensating open space (COS) reserve is required because the proposed lot sizes are less than five thousand sq. ft. Providing the required frontage to the COS reserve along Baxter Lane will create an impractical development since the required 12 feet of frontage along the public ROW will cover close to 50% of the frontage available to access the site. Reducing the available frontage from 28 to 16 feet.

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

The existing frontage along the public ROW of the site is 28 feet. Meeting chapter 42 requirements for COS frontage will prohibit any other type of development on the site due to the remaining 16 feet of frontage along the public ROW. The proposed COS reserve will have access to a public right of way (20' public alley) which is not listed in Chapter 42 but will allow physical access to the reserve.

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

The proposed COS reserve will be accessible to the proposed lots and will have access and frontage along the public 20' alley. In this case, even though a public alley is not listed as a public ROW in chapter 42 it can give the same functionality. The COS reserve is design in a way that can be utilize 100% by the residents of the development by having it in one big reserve on the back of the proposed lots. This will preserve and maintain the intent and general purpose of this chapter.

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

The proposed COS reserve will have access and frontage along the public 20' alley or through the lots that connect to the mutual access agreement. In case of an emergency the emergency services can access the reserve through the access easement or the alley. The granting of this variance will not be injurious to the public health, safety or welfare.

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

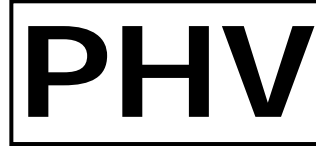
The COS reserve is designed in a way that future residents can equally utilize it as a green area connected to the proposed lots and concentrated in one reserve.



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

November 23rd, 2021

Dear Property Owner:

Reference Number: 2021-2540; Langham Creek Colony Sec 2 partial replat no 3; replatting portions of lots 75, 76 and all of reserve "K" in block 11 of "Langham Creek Colony Sec 2", as recorded in Volume 290 Page 59 of the Harris County Map Records.

The property is located at the northeast intersection of Baxter Ave. and Rumford lane. The purpose of the replat is to create five (5) single family lots and one reserve. The applicant, Joyce Owens, with Owens Management Systems, LLC, on behalf of RMJ Realty, LLC, can be contacted at 713-643-6333.

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 is attached.

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. This replat does not include any variance requests. If the replat meets the subdivision rules and regulations of Chapter 42, 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. If you have any questions regarding this replat and/or the subdivision rules and regulations related to this plat, you may contact staff with the Planning and Development Department via email at planning.publichearing@houstontx.gov or call (832)393-6600.

The Houston Planning Commission will hold a public meeting to consider this application.

PLANNING COMMISSION MEETING INFORMATION:

Thursday, December 16th, 2021 at 2:30 PM
City Hall Annex Building, 900 Bagby Street
City Council Chamber, Public Level, Houston, Texas

Members of the public may make comments or express concerns about the proposed project by either attending the meeting at City Council Chamber listed above or attending the meeting via Microsoft Teams at the time listed above. The Microsoft Teams meeting will allow for a two-way video/ audio communication with the Houston Planning Commission. **For instruction on how to join the Microsoft Teams meeting, interested persons are advised to check our website 72 hours prior to the Planning Commission meeting: www.houstonplanning.com or Call: 832-393-6624.**

Council Members: Amy Peck Tarsha Jackson Abbie Kamin Carolyn Evans-Shabazz Dave Martin Tiffany D. 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 Brown

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. ALL comments submitted by the deadline 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 at least 24 hours in advance of the meeting to sign up to speak

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 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

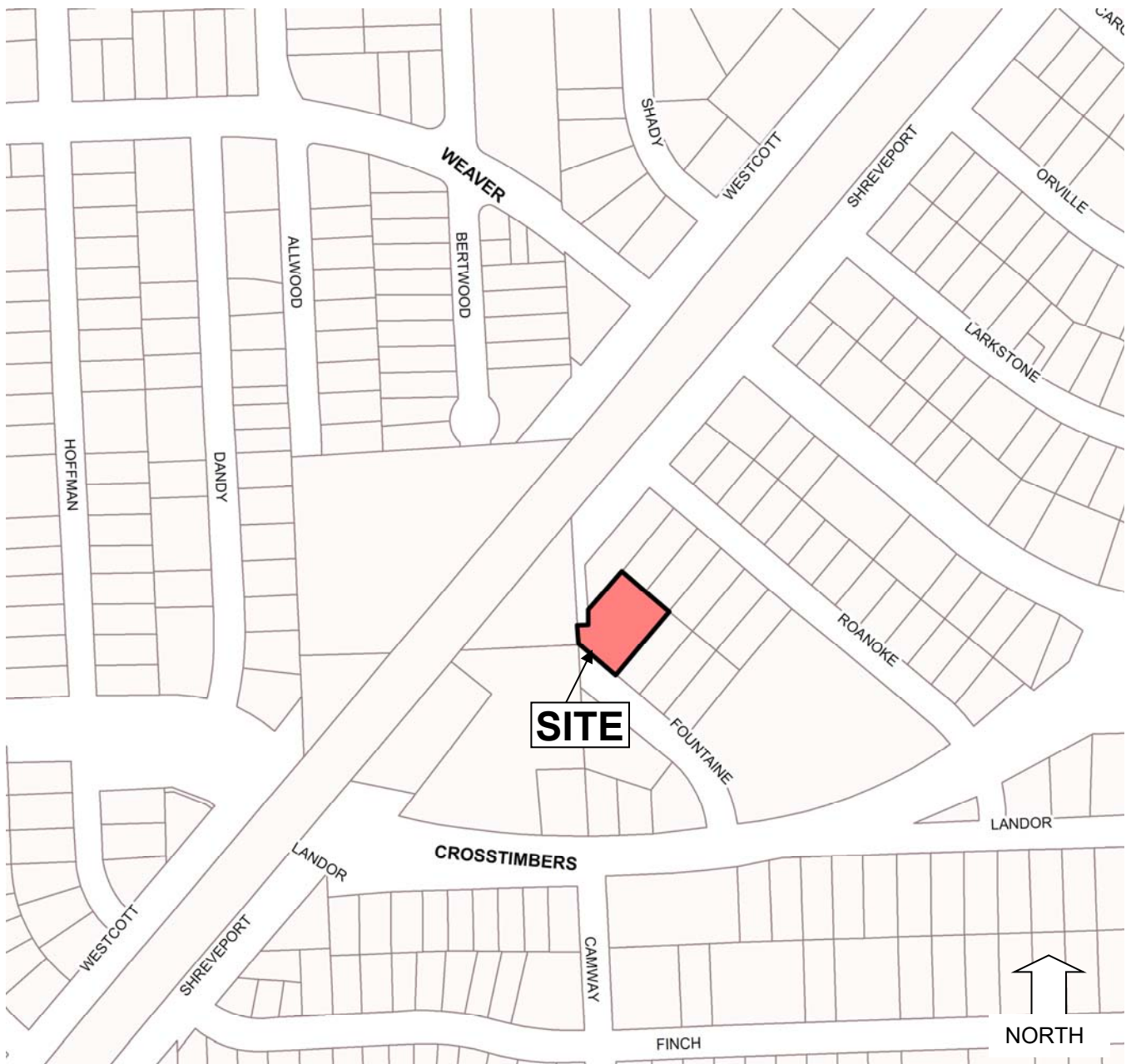
ITEM: 144

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Pelham Place Sec 3 partial replat no 1

Applicant: Moon House Predevelopment LLC



C – Public Hearings

Site Location

Houston Planning Commission

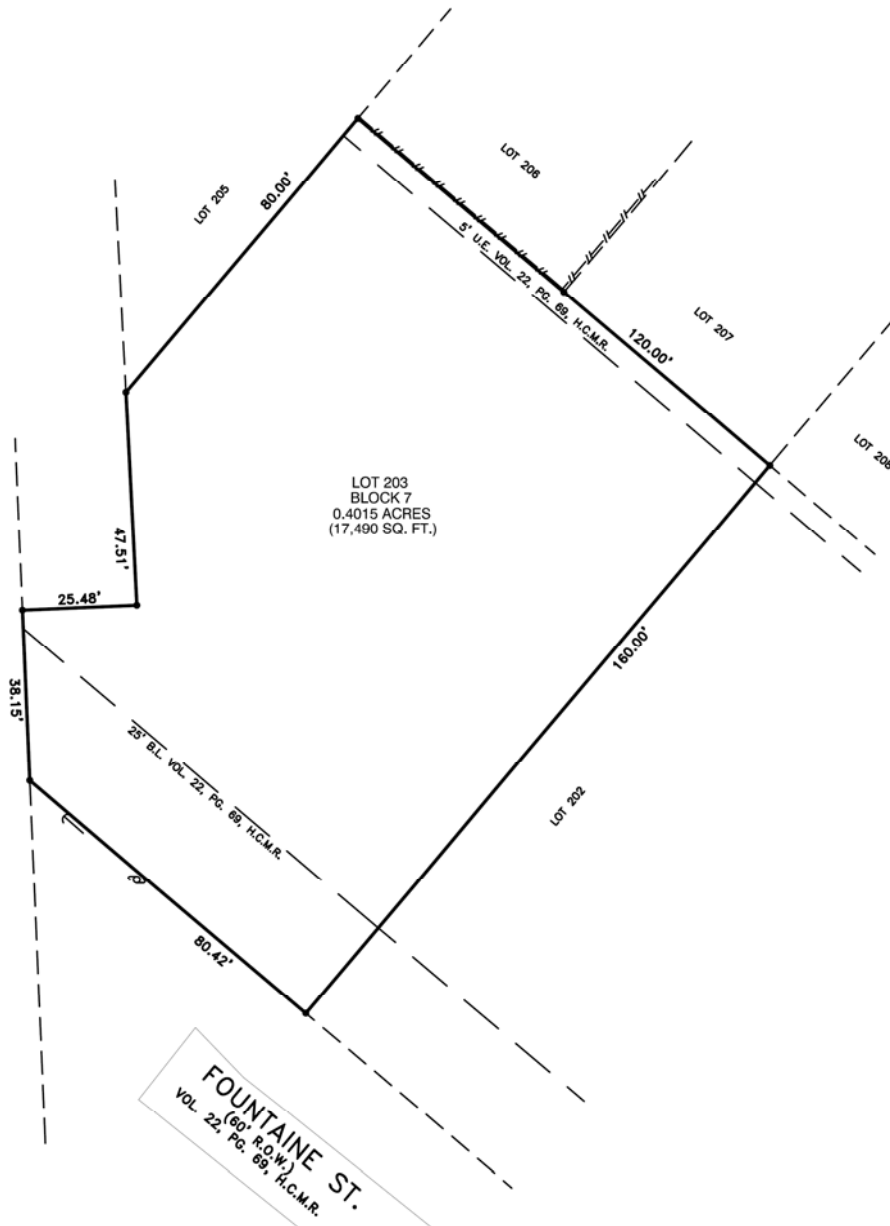
ITEM: 144

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Pelham Place Sec 3 partial replat no 1

Applicant: Moon House Predevelopment LLC



C – Public Hearings

Subdivision

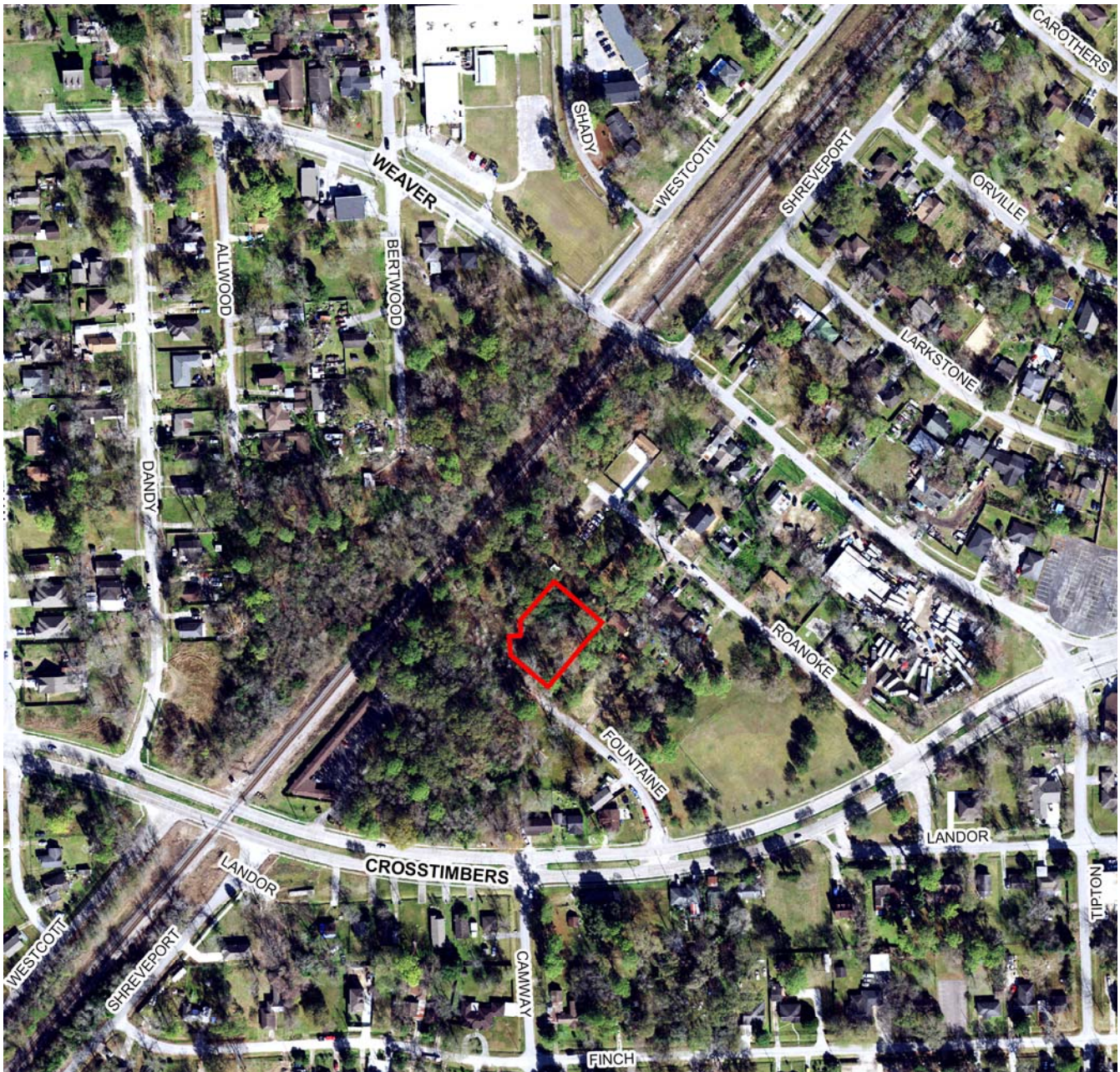
Houston Planning Commission **ITEM: 144**

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Pelham Place Sec 3 partial replat no 1

Applicant: Moon House Predevelopment LLC



C – Public Hearings

Aerial



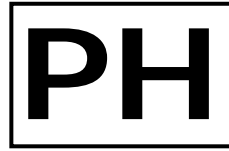
CITY OF HOUSTON

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

November 23rd, 2021

Dear Property Owner:

Reference Number: 2021-2239; Pelham Place Sec 3 partial replat no 1; partial replat of **Pelham place Sec 3** subdivision, being all of Lot 203 in block 7, as recorded in Volume 22 page 69 of the Harris County Map Records.

The property is located north along Fountaine Street. The purpose of the replat is to create two (2) single family lots. The applicant, **Alicia Ramos**, with Moon House Predevelopment LLC, on behalf of the developer, TTK Properties, can be contacted at **832-278-3778**.

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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The Houston Planning Commission will hold a public meeting to consider this application.

PLANNING COMMISSION MEETING INFORMATION:

Thursday, December 16, 2021 at 2:30 PM
City Hall Annex Building, 900 Bagby Street
City Council Chamber, Public Level, Houston, Texas

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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.

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Terminology

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Planning Commission Body, Authority and Obligation

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Planning Department Staff Authority and Obligation

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Houston Planning Commission ITEM: 145

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Westheimer Estates partial replat no 13

Applicant: The Interfield Group



C – Public Hearings

Site Location

Houston Planning Commission ITEM: 145

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Westheimer Estates partial replat no 13

Applicant: The Interfield Group



C – Public Hearings

Subdivision

Houston Planning Commission

ITEM: 145

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Westheimer Estates partial replat no 13

Applicant: The Interfield Group



C – Public Hearings

Aerial



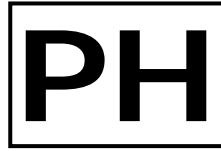
CITY OF HOUSTON

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

November 22, 2021

Dear Property Owner:

Reference Number: 2021-2564; Westheimer Estates partial replat no 13; partial replat of **Westheimer Estates**, being all of Lots 18 and 19, as recorded in Volume 25, Page 29 of the Harris County Map Records.

The property is located along the south block of Val Verde Street, west of Chimney Rock Road. The purpose of the replat is to create twelve (12) single-family residential lots and two (2) parking reserves. The applicant, **Mary Villareal** with the Interfield Group, on behalf of the developer, Multiplan Investments LLC, 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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The Houston Planning Commission will hold a public meeting to consider this application.

PLANNING COMMISSION MEETING INFORMATION:

Thursday, December 16, 2021, beginning at 2:30 p.m.
City Hall Annex Building, 900 Bagby Street
City Council Chamber, Public Level, Houston, Texas

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Council Members: Amy Peck Tarsha Jackson Abbie Kamin Carolyn Evans-Shabazz Dave Martin Tiffany D. 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 Brown

1. Send email to: speakercomments.pc@houston.tx.gov,

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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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- **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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Planning Department Staff Authority and Obligation

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Houston Planning Commission

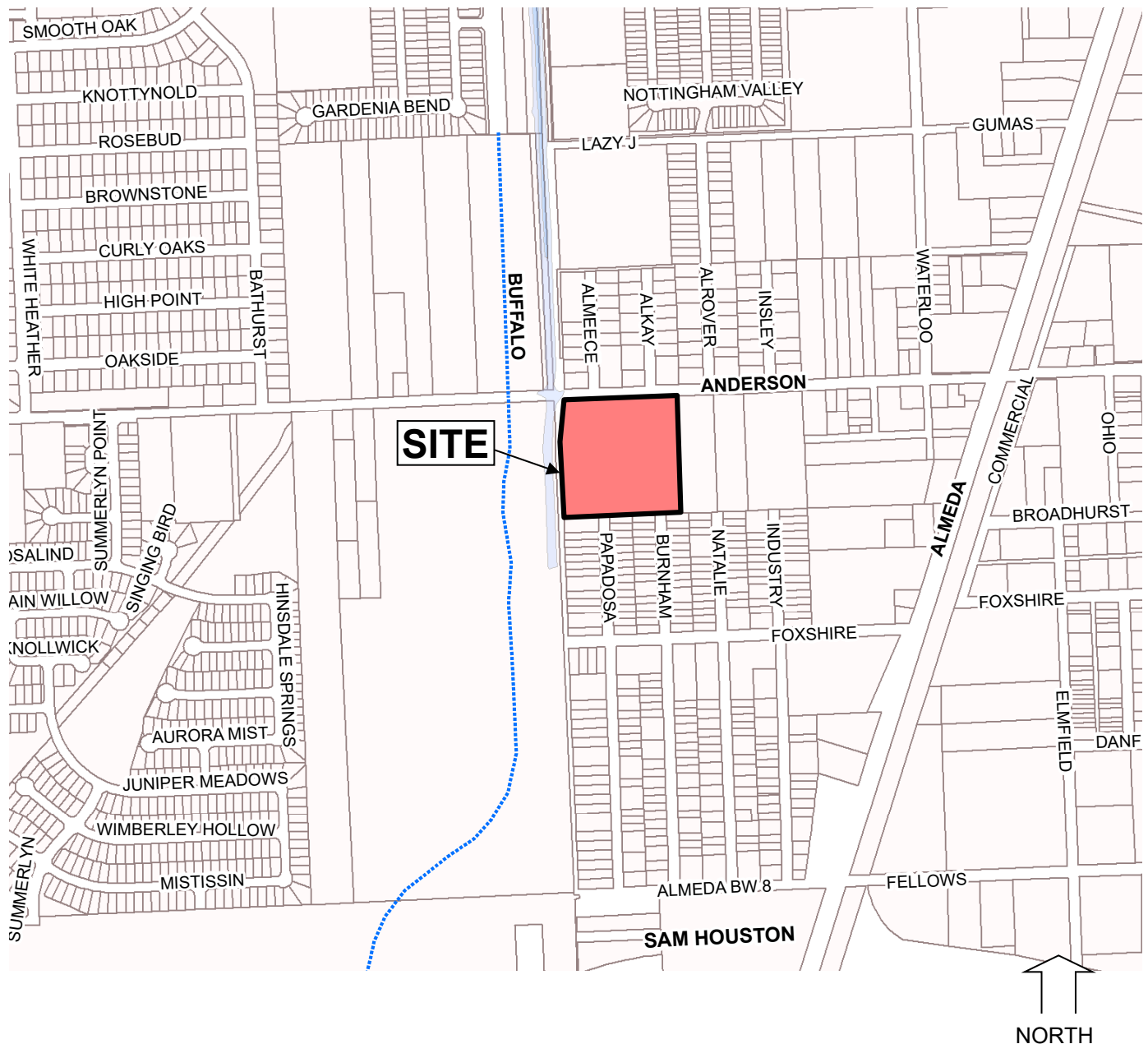
ITEM: 146

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Anderson Ville (DEF 1)

Applicant: J. Morales Inc.



D – Variances

Site Location

Houston Planning Commission

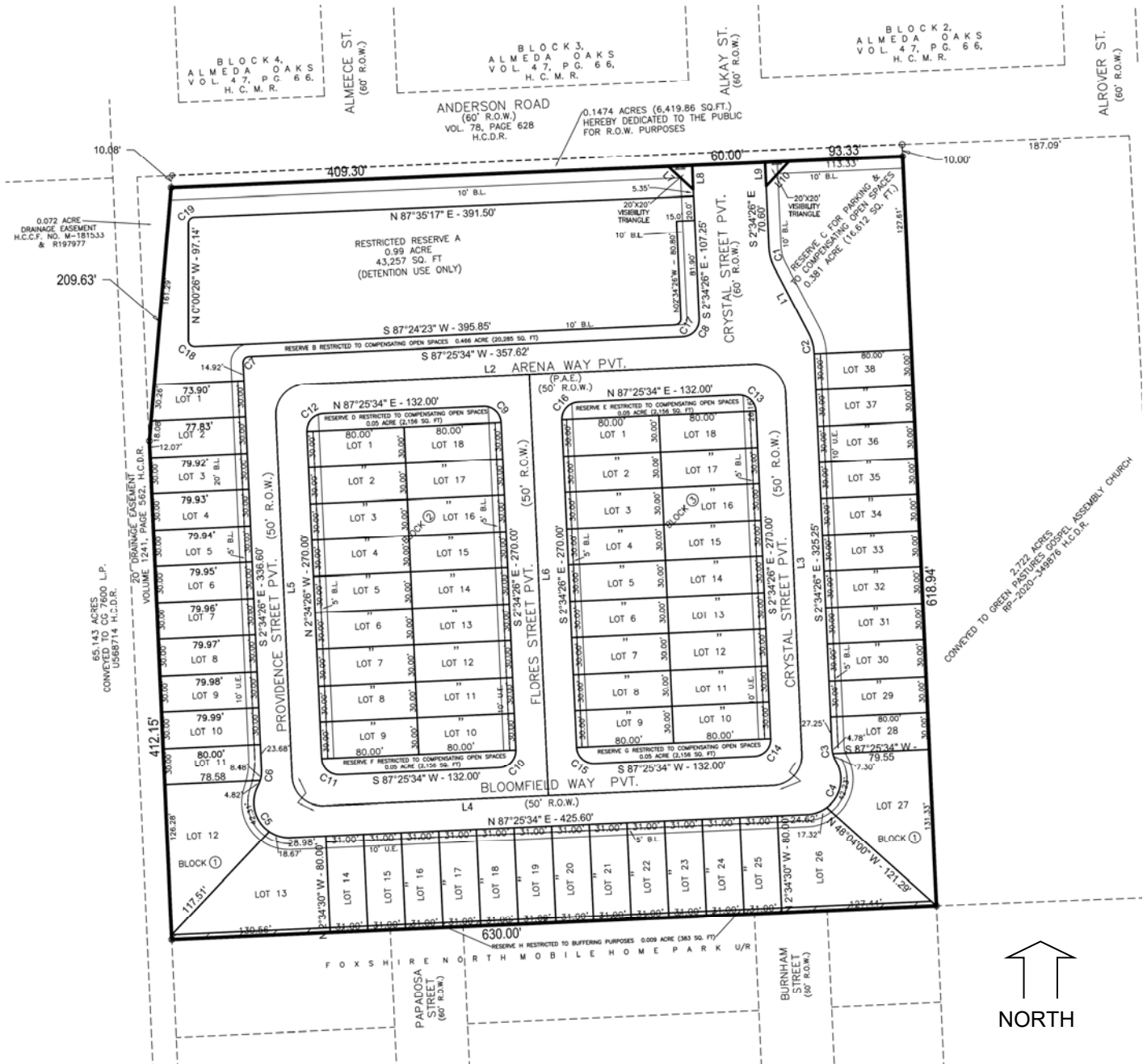
ITEM: 146

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Anderson Ville (DEF 1)

Applicant: J. Morales Inc.



D – Variances

Subdivision

Houston Planning Commission

ITEM: 146

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Anderson Ville (DEF 1)

Applicant: J. Morales Inc.



D – Variances

Aerial



Application Number: 2021-2562

Plat Name: Anderson Ville

Applicant: J. Morales

Date Submitted: 10/29/2021

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 intent is to create a gated community with private streets.

Chapter 42 Section: 128, 134

Chapter 42 Reference:

Sec. 42-128. - Intersections of local streets. (a) Each class III plat and each general plan that shows local streets shall provide for internal circulation by meeting either of the following requirements: (1) Each local street shall intersect with a street that meets the requirements of subsection (b) at least every 1,400 feet. Sec. 42-134. - Street extension. (a) A public street that terminates at the boundary of a plat previously approved by the commission without means of a vehicular turnaround shall be extended into the adjacent property at the time the adjacent property is platted unless: (1) The existing stub street is a local street and is not designated as a collector or major thoroughfare on the major thoroughfare and freeway plan; (2) The existing stub street is not shown as a through street on a current general plan approved by the commission for the subdivision in which the existing street is located or the subdivision that is the subject of the application; (3) The existing stub street is only one lot in depth; (4) The proposed subdivision will not extend residential development; and (5) The extension of the street is not required to meet the intersection spacing requirements of this chapter. If each of these criteria is met, the stub street is not required to be extended.

Statement of Facts

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

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

Yes, the new gated community will be about 3-4 feet above the center line of Anderson Road creating a considering slope between the stub streets (Papadosa and Burham) and the new develop gated community. This new gated community will have its own detention pond and retaining wall in the back to guarantee the safety of both communities.

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

No is not. The client does not own Block 26 Fruitland Addition to Almeda and therefore a cul-de-sac would not likely be an option at the stub streets. Also, it would create a thoroughfare of heavy traffic to the proposed Anderson Ville gated community.

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

Yes, Papadosa street and Burham street will continue to have access to a collector street which in this case is W Foxshire Lane.

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

No, on the contrary, the new gated community will have regulations and policies in place in order to assure the welfare and safety of everyone.

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

Absolutely no, the public health and welfare are the main reasons of this application. As a gated community, residents will feel more comfortable about letting their kids playing and walk around with their pets, instead of having a street through the community that may causes and accident.

Houston Planning Commission

ITEM: 147

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Breaktime at Westheimer

Applicant: The Interfield Group



D – Variances

Site Location

Houston Planning Commission

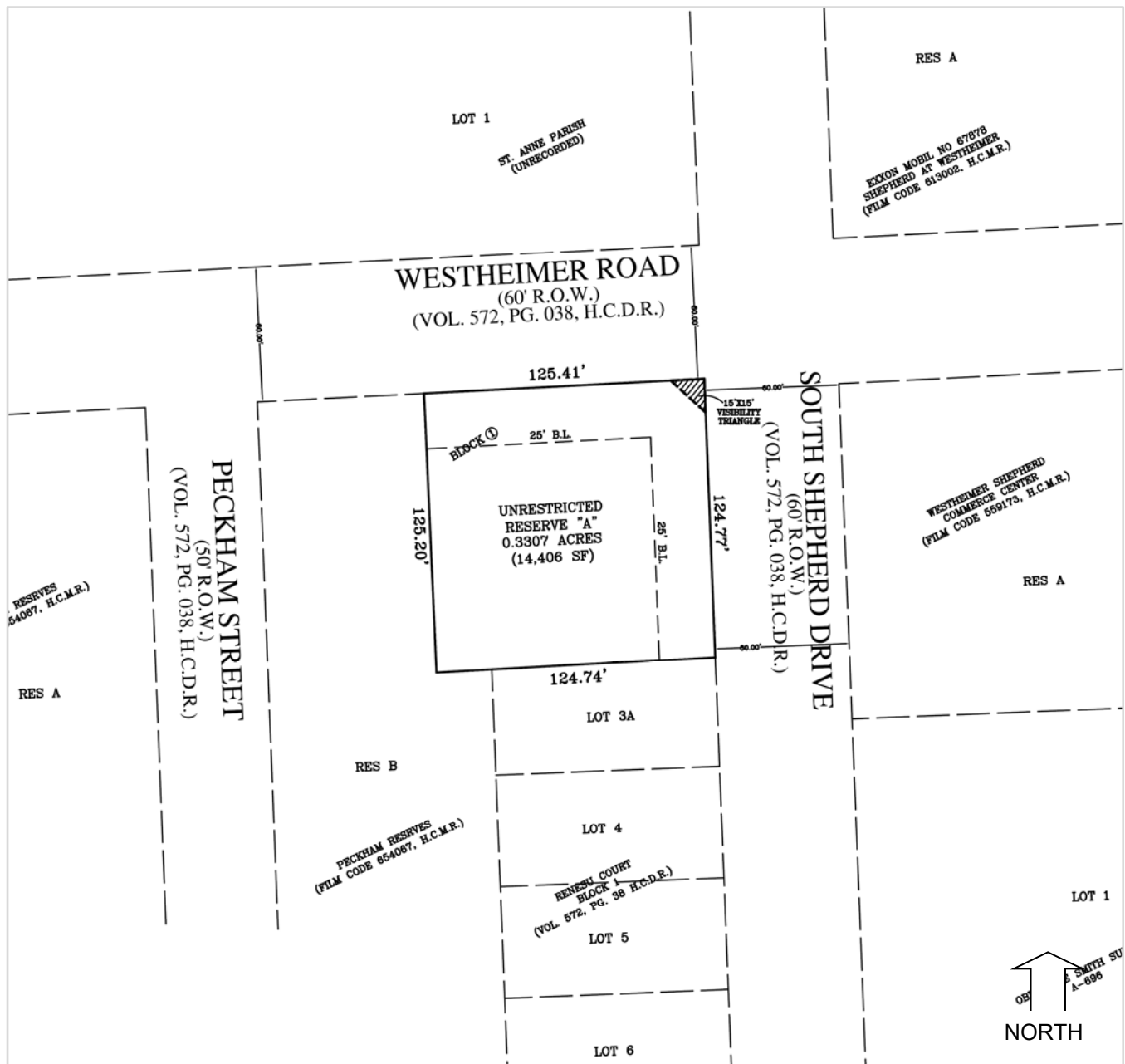
ITEM: 147

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Breaktime at Westheimer

Applicant: The Interfield Group



D – Variances

Subdivision

Houston Planning Commission

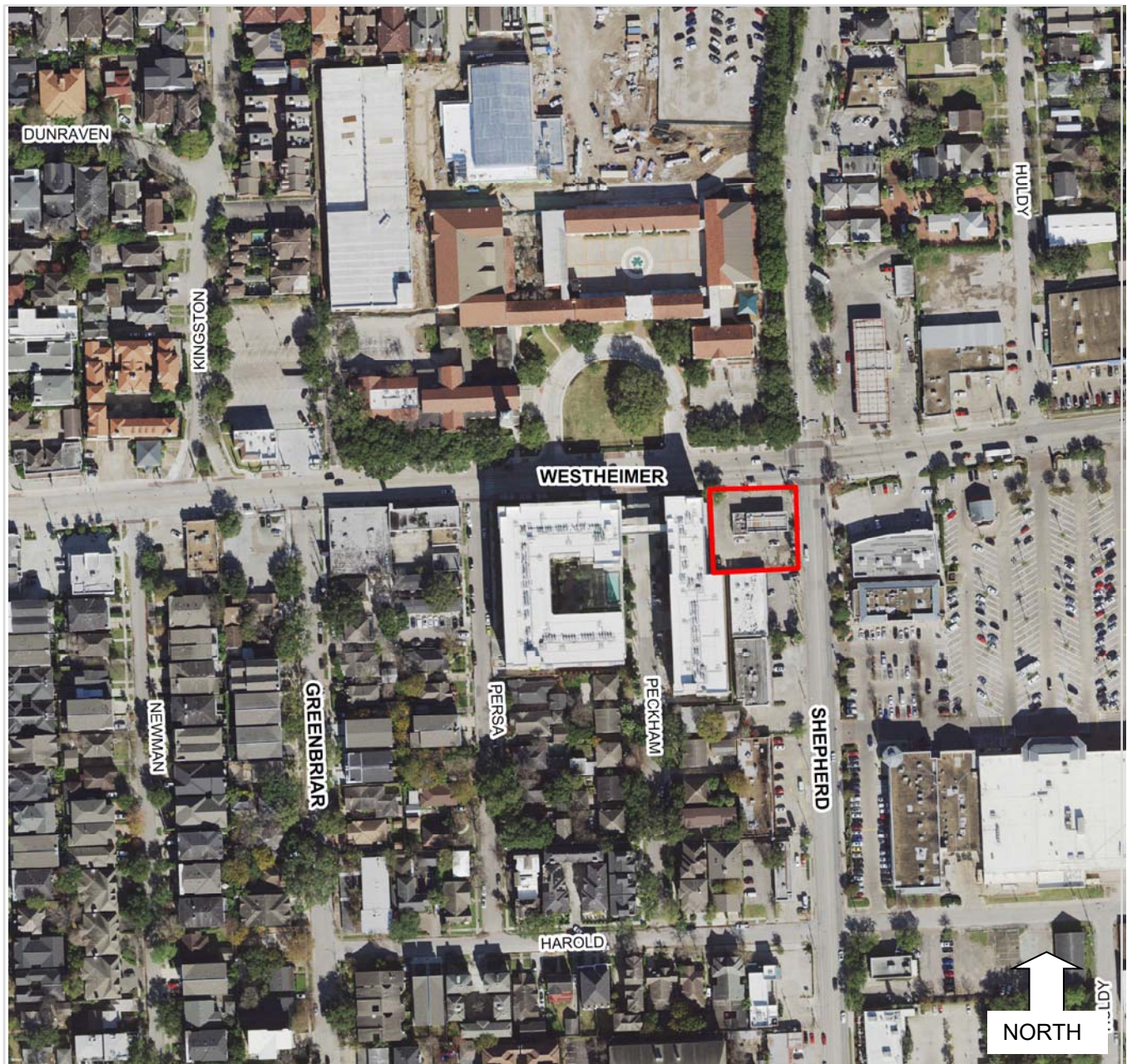
ITEM: 147

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Breaktime at Westheimer

Applicant: The Interfield Group



D – Variances

Aerial

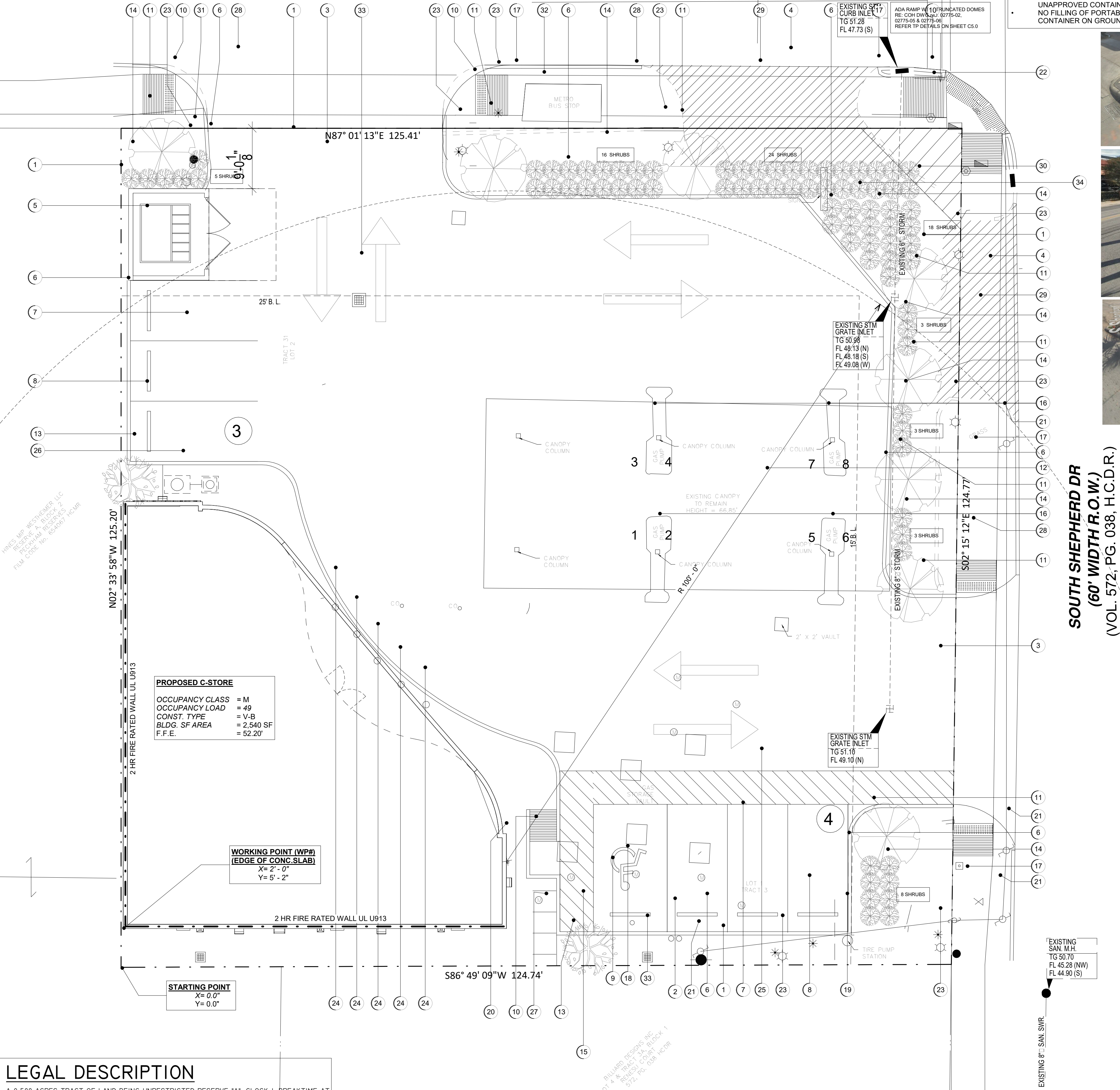
HINTS MAP WESTHEIMER LLC
RESERVE A BLOCK 2
FROM CODE No. 654027 ACUR

LEGAL DESCRIPTION

A 0.588 ACRES TRACT OF LAND BEING UNRESTRICTED RESERVE "A", CLOCK 1, BREAKTIME AT WESTHEIMER SUBDIVISION, ACCORDING TO MAP OR PLAT THEREOF RECORDED IN HARRIS COUNTY MAPS RECORDS OF HARRIS COUNTY, TX

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

WESTHEIMER ROAD (60' WIDTH R.O.W.) (VOL. 572, PG. 038, H.C.D.R.)



WARNING SIGN AT EACH PUMP DISPENSER SHALL READ:

- NO SMOKING
- SHUT OFF MOTOR
- DISCHARGE YOUR STATIC ELECTRICITY BEFORE FUELING BY TOUCHING A METAL SURFACE AWAY FROM NOZZLE. TO PREVENT STATIC CHARGE, DO NOT REENTER YOUR VEHICLE WHILE GASOLINE IS PUMPING
- IF A FIRE STARTS, DO NOT REMOVE NOZZLE - BACK AWAY IMMEDIATELY. IT IS UNLAWFUL AND DANGEROUS TO DISPENSE GASOLINE INTO UNAPPROVED CONTAINERS.
- NO FILLING OF PORTABLE CONTAINERS IN OR ON A MOTOR VEHICLE. PLACE CONTAINER ON GROUND BEFORE FILLING.



KEYED NOTES

- 1 PROPERTY LINE
- 2 EXISTING 2 VENTS TO REMAIN
- 3 EXISTING DRIVEWAY TO REMAIN
- 4 EXISTING DRIVEWAY AND DRIVEWAY CULVERT TO BE REMOVED ALONG AND RE-GRADE THE DITCH WITH GRASS/SOD TO MATCH THE EXISTING FLOW LINE
- 5 PROPOSED DUMPSTER (RE:AI.02)
- 6 PROPOSED 6" CONCRETE CURB
- 7 PROPOSED PARKING SPACES (ALL PARKING SPACES ARE 9'-0" X 19'-0" U.O.N.)
- 8 6" CURB/WHEEL STOP TO BE PLACED 2'-6" FROM PROPERTY LINE OR FROM INSIDE SIDEWALK
- 9 PROPOSED ACCESSIBLE PARKING
- 10 PROPOSED ADA SIDEWALK RAMP
- 11 PROPOSED STREET TREES (RE: AI.00)
- 12 EXISTING CANOPY TO REMAIN IN SIMILAR FASHION
- 13 PROPOSED PARKING TREES (RE: AI.00)
- 14 PROPOSED STREET SHRUBS (RE: AI.00)
- 15
- 16 EXISTING GAS PUMP/DISPENSER TO REMAIN
- 17 EXISTING SIDEWALK TO REMAIN
- 18 PROPOSED ADA PARKING SIGNAGE
- 19 EXISTING AIR/WATER MACHINE TO REMAIN
- 20 EMERGENCY DISCONNECT SWITCH WITH SIGN LABELED: EMERGENCY FUEL SHUTOFF AND EMERGENCY PROCEDURE SIGN (EPO)
- 21 EXISTING POWER POLE TO REMAIN, IF NEEDED THE OWNER IS RESPONSIBLE FOR THE CONTACT/RELOCATION PROCESS OF THE GUY WIRE AND THE FEES ASSOCIATED WITH CENTERPOINT ENERGY
- 22 EXISTING TRAFFIC SIGNAL/ POLE TO REMAIN
- 23 EXISTING LIGHT POLE TO REMAIN
- 24 PROPOSED IMPACT RESISTANT LIGHTED BOLLARD (RE:AI.02)
- 25 PROPOSED ACCESSIBLE PATH OF TRAVEL
- 26 PROPOSED GREASE TRAP (RE: PLUMBING DRAWINGS)
- 27 PROPOSED BIKE RACKS
- 28 PROPOSED 6' SIDEWALK
- 29 PROPOSED NEW SIDEWALK TO MATCH EXISTING
- 30 15' X 15' VISIBILITY TRIANGLE
- 31 EXISTING WATER METER TO REMAIN
- 32 EXISTING BUS STOP AND SIGNAGE TO REMAIN
- 33 PROPOSED CATCH BASIN (RE: CI.1)
- 34 PROPOSED MONUMENT SIGN (SIGNAGE TO BE PERMITTED SEPARATELY)

ISSUE HISTORY		REVISIONS	
DATE	ISSUED FOR	REV#	REVISION DESCRIPTION
11.01.19	CLIENT REVIEW		
	PERMIT		
	BIDDING		
	CONSTRUCTION		

INTERFIELD
engineering | architecture
401 STUDEWOOD, SUITE 300
HOUSTON, TEXAS 77007
TEL. (713) 780-0909
TX. REG. NO. F-5611
WWW.INTERFIELD.NET



LANDSCAPING ANALYSIS

STREET R.O.W. - TYPE/LOCATION	CALIPER SIZE	REQUIRED	PROPOSED
WESTHEIMER ROAD/QUERCUS VIRGINIANA (OAK)	1 1/2"	125/30 = 4.1	4
SOUTH SHEPHERD DRIVE/QUERCUS VIRGINIANA (OAK)	1 1/2"	124/30 = 4.1	4
LIGUSTRUM JAPONICUM (WAXLEAF LIGUSTRUM) SHRUB	3 GAL.	8X10 = 80	81
PARKING - TYPE/LOCATION			
QUERCUS TEXANA RED (RED OAK)	1 1/2"	16/10 = 1.6	2

PARKING SYNOPSIS

OCCUPANCY TYPE	PARKING COUNT	REQUIRED	PROPOSED
C-STORE "M"	2,546/1,000 x 5	12.73	
TOTAL		13	15

GENERAL NOTES:

1. ALL DOWNSPOUTS WILL CONNECT TO UNDERGROUND STORM SYSTEM (RE: CIVIL DRAWINGS).
2. EXISTING R.O.W DRIVEWAYS TO REMAIN
3. EXISTING FUEL CANOPY TO REMAIN
4. EXISTING FUEL PUMP DISPENSERS TO REMAIN
5. NEW PAVEMENT PROPOSED FOR THE ENTIRE SITE
6. BUILDING DEMOLITION TO BE PERMITTED SEPERATELY
7. DRIVEWAY PAVEMENT TO BE CONCRETE

SITE PAVING SUMMARY

ITEM	AREA	ITEM	LENGTH
PRIVATE		PUBLIC R.O.W	
CONCRETE PAVEMENT	10,496 S.F.	6" CURB	71 FT
SIDEWALKS	154 S.F.		
BUILDING	2,750 S.F.		

1/8" = 1'-0"

BREAK TIME MARKET
PROPOSED C-STORE
2103 WESTHEIMER RD.
HOUSTON, TEXAS 77098

SITE PLAN

18149.00

DATE: 03/22/19
DRAWN BY: CS
CHECKED BY: JEN/SCB

SHEET: AI.00



PLANNING & DEVELOPMENT DEPARTMENT

APPLICANT'S Variance Request Form

Application Number: 2021-2787

Plat Name: Breaktime at Westheimer

Applicant: The Interfield Group

Date Submitted: 11/22/2021

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

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

Specific Variance is being sought and extent of variance:

Specific variance is being sought and extent of variance is to allow no street widening dedication along Westheimer and S. Shepherd Drive.

Chapter 42 Section: 122

Chapter 42 Reference:

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: Major thoroughfares (1) The lesser of 100 feet or the right-of-way specified by the street hierarchy classification established by the major thoroughfare and freeway plan; or

Statement of Facts

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

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

Breaktime At Westheimer is located west of Peckham Street, south of Westheimer Road, east of Shepherd Drive, north of Harold Street. Breaktime At Westheimer plat was previously submitted and approved. However, during the process of recording the plat, it was discovered that the developer is leasing the property from the current landowner. At the time lease was signed, developer was not aware that platting and/or land dedication would be required when entering a long-term lease. Plat of Breaktime At Westheimer provided land for right of way dedication for approval. Current landowner is not willing to dedicate the land without compensation; therefore, plat cannot be recorded without his signature. City of Houston will not issue the permits required for this project, until plat is filed of record. Developer is bound to a long-term lease and plans are near completion, but not being able to file the plat denies developer the ability to move forward with this project. Please note the following: (1) Westheimer Road and S. Shepherd Drive are both planned 70' right of ways, with this property being at an intersection it is required to dedicate 5' at each right of way. This would deny developer approximately 0.028- acres (1,250 SF), a significant loss of useable area in subject property, due to limited size and 25' building lines along both streets. (2) The City would retain the right of exercising eminent domain powers for future widening. Plans being permitted were designed per the previously approved plat, which plat opted into the 15' building line performance standards. The current plat shows no widening and a 25' building, but the proposed site layout will remain the same, so any future taking of land would not impact the proposed site. (3) Prevailing conditions abutting Westheimer right of way will render roadway widening unfeasible, in the foreseeable future. (4) A replat would likely not be required if developer could only improve the existing structure (built in 1981). However, this option would deny developer the opportunity to improve the property in a manner consistent with nearby developments. In addition, this option would deny patrons and City the beatification of this bustling intersection. (5) Developer will provide 7' sidewalks along both Westheimer Road and Shepherd Drive. We appreciate your consideration of this request that would allow developer the opportunity to obtain permits for the proposed development.

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

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

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

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

(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. Development will enhance public welfare, without any way compromising public health or safety. On the contrary, wider sidewalks will provide a more comfortable distance between vehicles and pedestrians.

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

Economic hardship is not the sole justification of the variance, which is being requested on the basis of a reasonable assessment of existing conditions.



CITY OF HOUSTON

Planning and Development

Sylvester Turner

Mayor

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

T. 832.393.6600
F. 832.393.6662
www.houstontx.gov

December 8, 2021

NOTICE OF VARIANCE

PROJECT NAME: Breaktime at Westheimer

REFERENCE NUMBER: 2021-2787

VAR

Dear Property Owner:

The Planning and Development Department has received a subdivision plat application with a variance request for a property located east of Kirby Drive, at the southwest corner of Westheimer Road and Shepherd Drive. You are receiving this letter because you are listed in the Harris County Appraisal District records as a neighboring owner for property that falls within the Chapter 42 required notification area adjacent to this request.

The Interfield Group, the applicant, has filed the request on behalf of the developer of the subject site. The applicant is requesting a variance to allow no rights-of-way dedication to Major Thoroughfares Westheimer Road and Shepherd Drive. Enclosed are copies of the variance request, 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. A sign with this information has also been posted on the project site. The Houston Planning Commission will hold a public meeting to consider this application.

PLANNING COMMISSION MEETING INFORMATION:

Thursday, December 16, 2021, beginning at 2:30 p.m.

City Hall Annex Building, 900 Bagby Street

City Council Chamber, Public Level, Houston, Texas

Members of the public may make comments or express concerns about the proposed project by either attending the meeting at City Council Chamber listed above or attending the meeting via Microsoft Teams at the time listed above. The Microsoft Teams meeting will allow for a two-way video/ audio communication with the Houston Planning Commission. **For instruction on how to join the Microsoft Teams meeting, interested persons are advised to check our website 72 hours prior to the Planning Commission meeting: www.houstonplanning.com or Call: 832-393-6624.**

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. 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 at least 24 hours in advance of the meeting to sign up to speak.

For additional information regarding this project, please call Mary Villareal with Meta The Interfield Group, at **713-780-0909**. You may also contact Muxian Fang with the Planning and Development Department regarding this notice via email at planning.variances@houston.tx.gov or call (832) 393-6574. 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

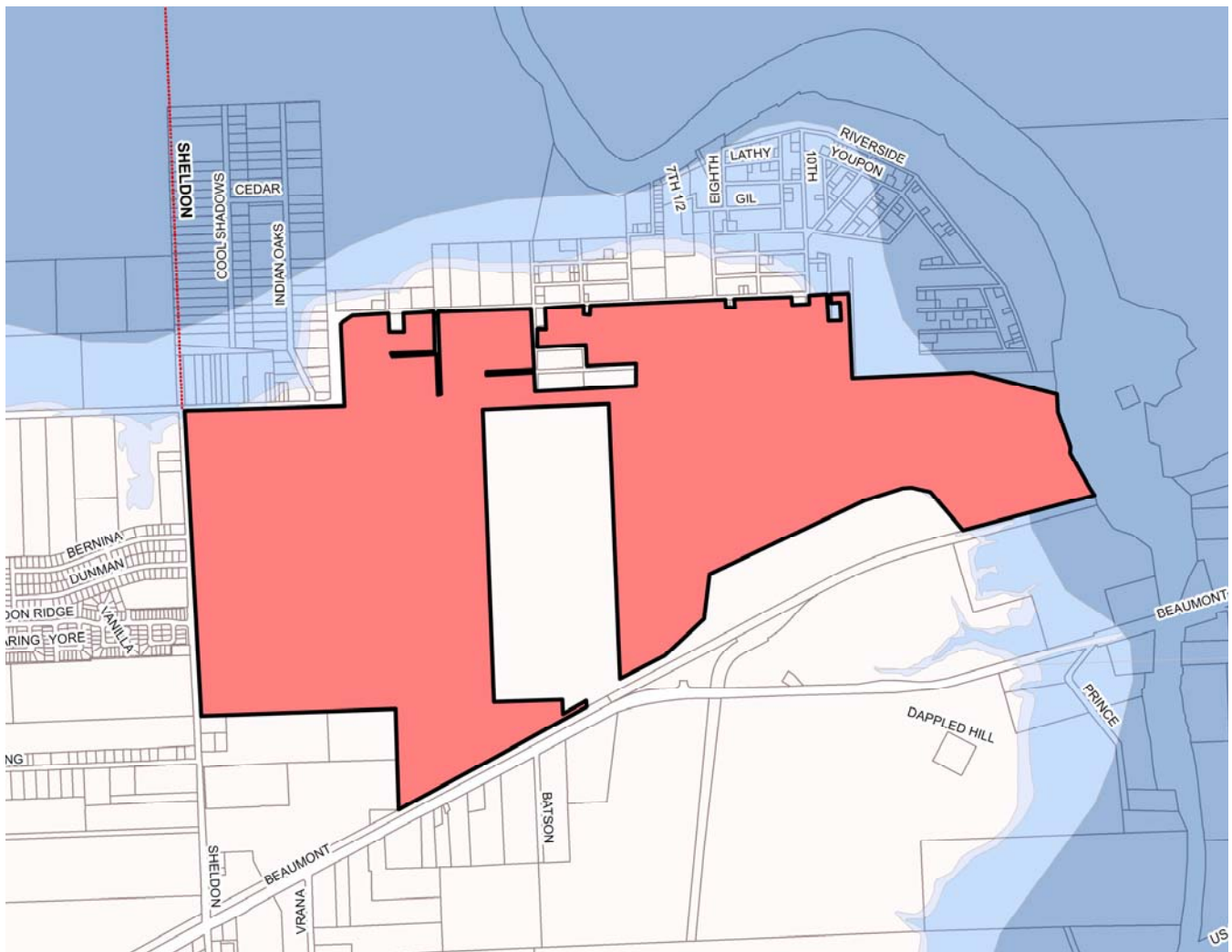
ITEM: 148

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Chamon Power GP

Applicant: SEM SERVICES



D – Variances

Site Location

Houston Planning Commission

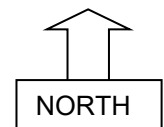
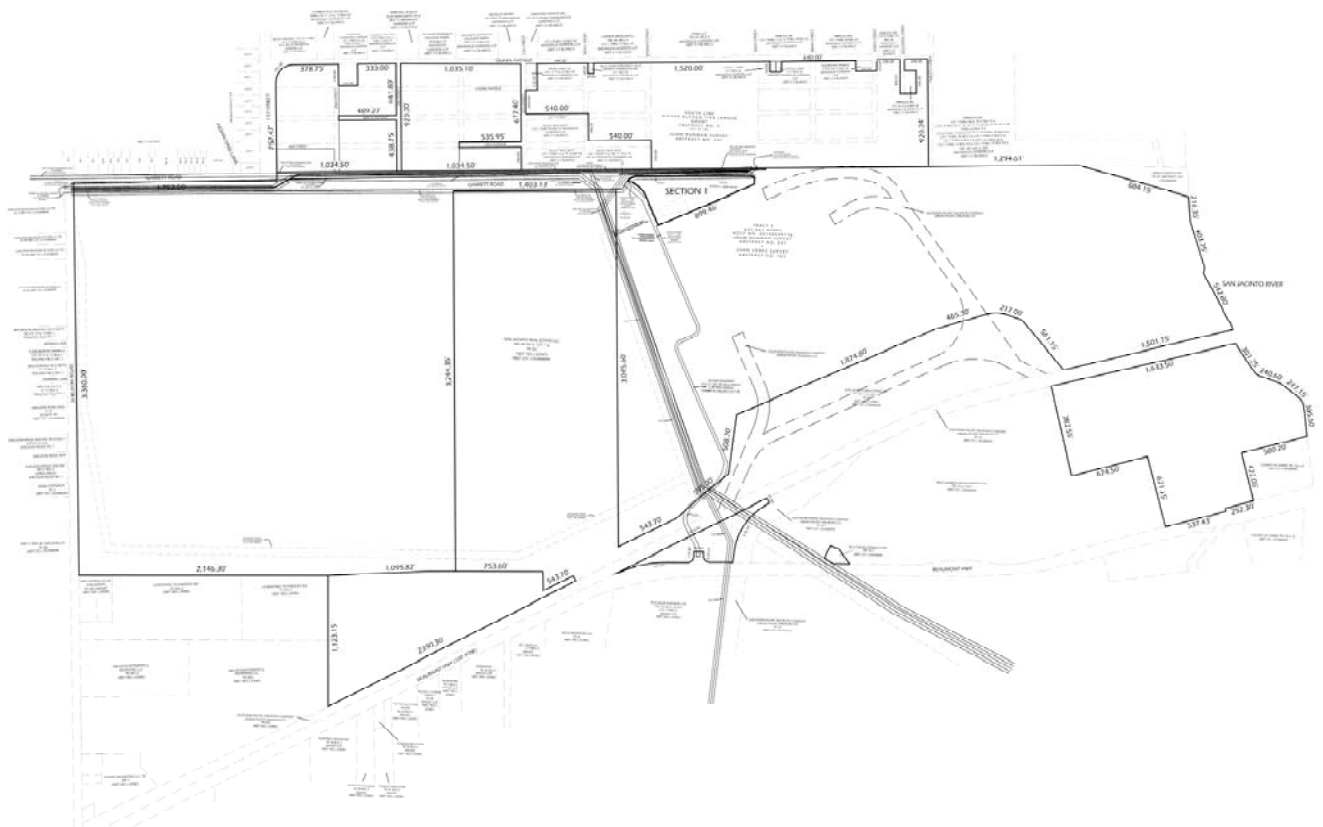
ITEM: 148

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Chamon Power GP

Applicant: SEM SERVICES



D – Variances

Subdivision

Houston Planning Commission

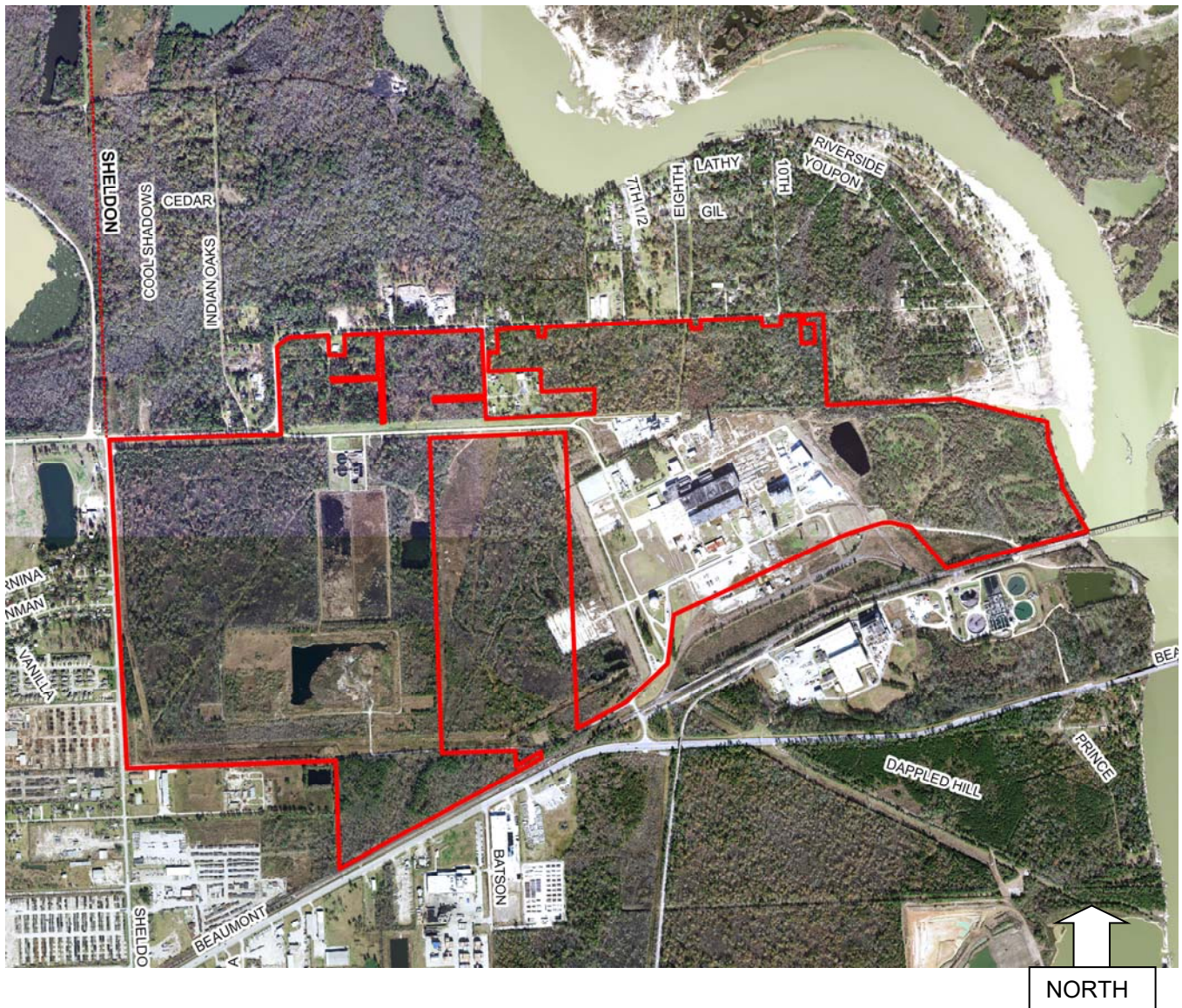
ITEM: 148

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Chamon Power GP

Applicant: SEM SERVICES



D – Variances

Aerial



Application Number: 2021-2766

Plat Name: Chamon Power GP

Applicant: SEM SERVICES

Date Submitted: 11/22/2021

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:

1. To allow excessive intersection spacing along the northern, wester, eastern & southern GP boundary by not requiring any streets nor extending any stub streets through the site.

Chapter 42 Section: 42-160

Chapter 42 Reference:

The 662.5+ acre site is located in east Harris County, in Houston's ETJ near Garrett Road and the San Jacinto River. The applicant is requested five (5) variances 1. To allow excessive intersection spacing along the western GP boundary by allowing no street extensions; 2. To allow excessive intersection spacing along the northern GP boundary by allowing no street extensions; 3. To allow excessive intersection spacing along the eastern GP boundary by allowing no street extensions; 4. To allow excessive intersection spacing along the southern GP boundary by allowing no street extensions; 5. To allow 3rd, 5th, 12th stubs streets not be extended nor terminate with a cul-de-sac through the GP site. The Chamon Power GP is a 662.5+ acre industrial site in eastern Harris County. The site has been used for industrial related uses prior to Chapter 42. Development has occurred overtime in this tight piece of land with access easements, railroad tracks, multiple pipeline easements, and electrical transmission lines. All land owned by the developer has been put together in this GP showcasing the multiple stringent factors of the land within Chamon Power GP. The area is surrounded by railroad tracks, detention ponds and the San Jacinto River. Extension of the stub streets along the northern plat boundary is not with public policy to extend for traffic circulation. As all stub streets will be stringent with multiple pipeline easements and current buildings. No surrounding development to the north warrants street extension as Guinn Avenue serves as their public street network for property to the north. To the east, the GP is surrounded by the San Jacinto River, which limits street extension to the east. Per public policy, both the city & county have only required major thoroughfares to extend, therefore requiring a local street is against public policy. To the south, the GP is limited by the multiple railroad tracks on the southern boundary and cutting the GP site in odd angles from other use than industrial land. In addition to this, there is a cross cutting electrical transmission easement which meets the intersection spacing exceptions per 42-130, not requiring any local streets to cross electric transmission property. To the west, the same rule of Chapter 42-130 applies, as there are multiple pipelines and electrical transmission easement running, thus not requiring a west street connection. The applicant is requesting internal circulation to be considered null, as no outer connections are warranted due to Chapter 42 exception on this site per the multiple easements, railroad tracks, detention/water features. Based on the existing & historical character of the land, we request the Planning Commission to allow this GP to continue to exist as it has for more than 50+ years, prior to the ordinance.

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 imposition of the rules within Chapter 42 of intersection spacing and street extensions would be against public policy as per the exception section of the ordinance allows restricted land to be excepted from certain rules. The site has been

used for industrial related uses prior to Chapter 42. Development has occurred overtime in this tight piece of land with access easements, railroad tracks, multiple pipeline easements, and electrical transmission lines. Based on the existing & historical character of the land, we request the Planning Commission to allow this GP to continue to exist as it has for more than 50+ years, prior to the ordinance.

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

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

(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. Proposed GP meets rules under 42-130 exceptions. Surrounding street network provides sufficient traffic circulation in this industrial part of Harris County.

(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 by 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 by the ordinance.

Houston Planning Commission

ITEM: 149

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Chamon Power Sec 1

Applicant: SEM SERVICES



D – Variances

Site Location

Houston Planning Commission

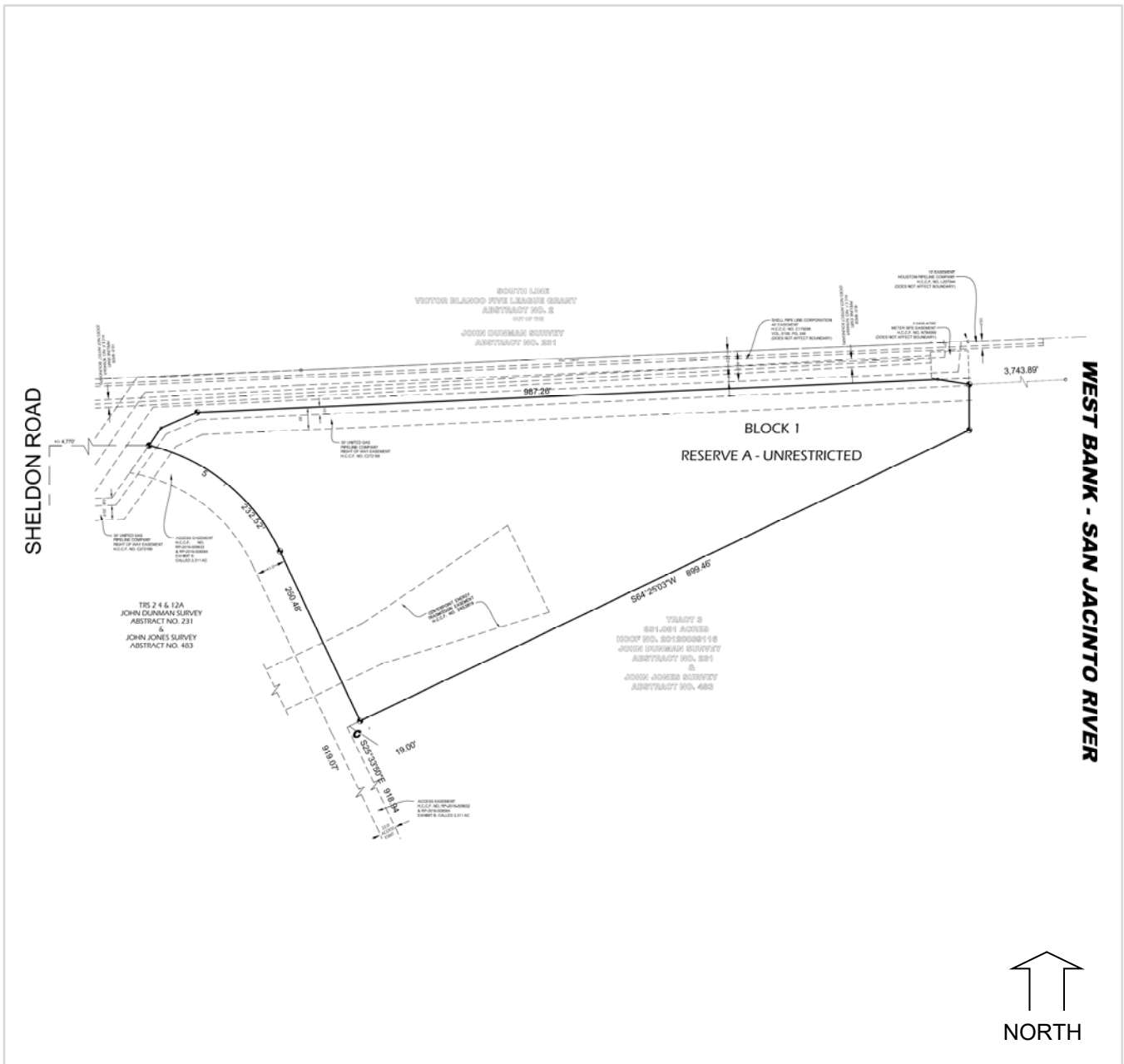
ITEM: 149

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Chamon Power Sec 1

Applicant: SEM SERVICES



D – Variances

Subdivision

Houston Planning Commission

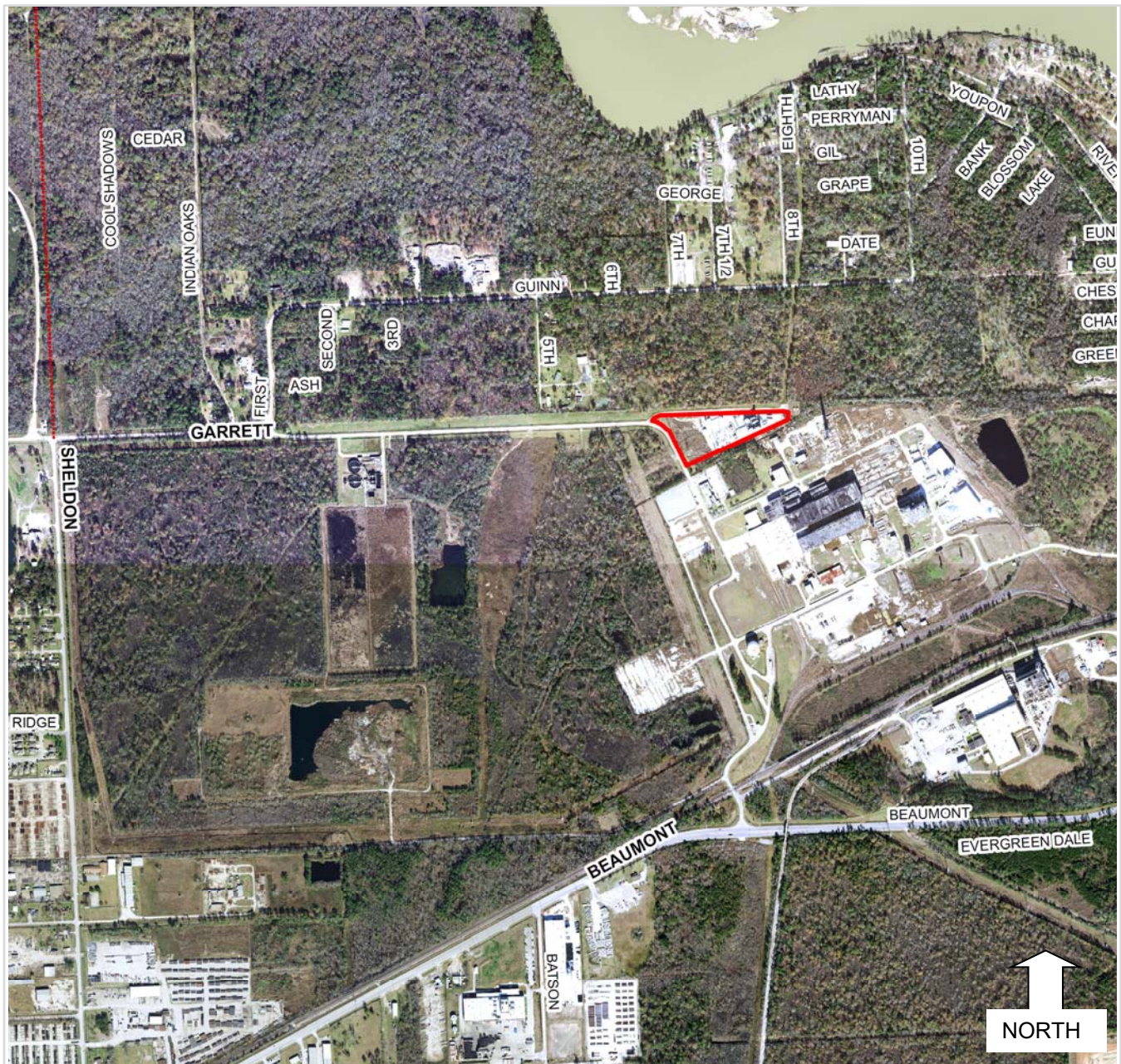
ITEM: 149

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Chamon Power Sec 1

Applicant: SEM SERVICES



D – Variances

Aerial



Application Number: 2021-2768

Plat Name: Chamon Power Sec 1

Applicant: SEM SERVICES

Date Submitted: 11/22/2021

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:

1. To allow an unrestricted reserve to have access via an access easement instead of a public R.O.W.

Chapter 42 Section: 42-160

Chapter 42 Reference:

The site is located in east Harris County, in Houston's ETJ near Garrett Road and the San Jacinto River. The applicant is requested one variance. 1. To allow an unrestricted reserve to have access via an access easement instead of a public R.O.W. The subject tract is being proposed to be an unrestricted reserve. The proposed reserve is a substation for a power plant that has been existing on site for more than 20+ years, prior to the current ordinance Chapter 42. The overall area is underdeveloped due to the existing power plant and industrial use of the area surrounding Chamon Power GP. The area is surrounded by railroad tracks, detention ponds and the San Jacinto River. The subject site has been in the same configuration and has been using access easements since 1987. The reason this property is coming to plat, is because the proposed substation is pulling permits at Harris County Engineering Department and staff requested a plat to comply with current regulations. The unplatted property is part of the proposed Chamon Power GP, which is being considered along this plat. This unrestricted reserve site has been in the same configuration and access easement to the current Garrett Road ending at 1st Street has been its only sole access since 1987. Applicant is requesting for this access to remain as extending Garrett Road will not improve traffic circulation this substation with little to no traffic. The surrounding platted property to the north is not developed and in part owned by the Chamon Power GP owner. Based on the existing character of the neighborhood, we request the Planning Commission to allow this unrestricted reserve to have access via an access easement as no change in land use is occurring nor major expansion'.

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 imposition of the rules within Chapter 42 of an unrestricted reserve required Garrett Road to be extended as a public street near an industrial facility going against sound public policy of public safety. This unrestricted reserve is part of the unplatted property along rural Harris County ETJ, which has been continuously working for 40+ years in its current configuration prior to Chapter 42.

No major additions are occurring with this new permitting therefore a new road extension is not granted with little to no development expansion.

(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. Proposed development of substation has had access to Garrett Road via an existing access easement. The access easement will provide public ROW access from the reserve to the public street network.

(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 by 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 by the ordinance.

Houston Planning Commission

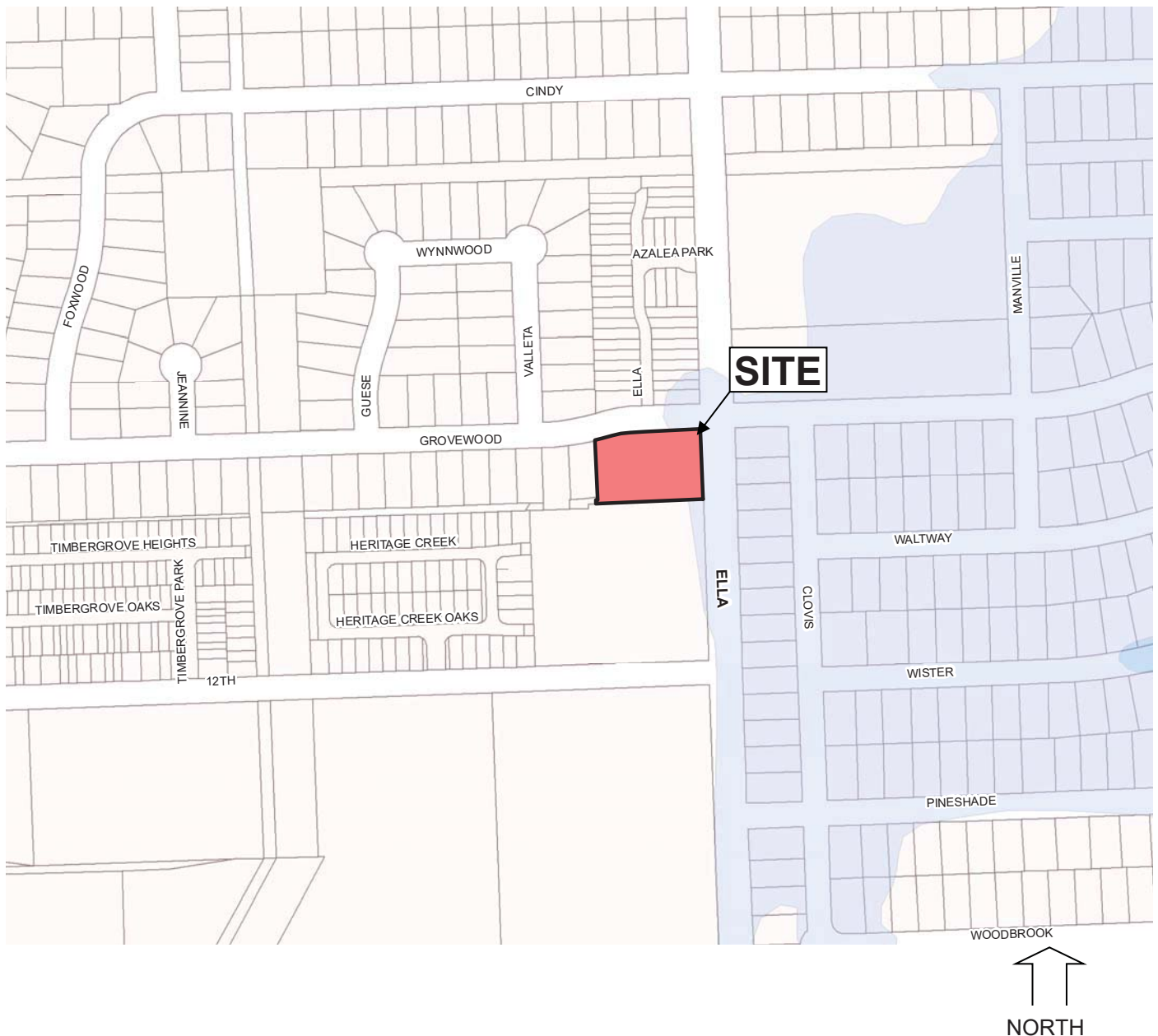
ITEM: 150

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Ella Grovewood (DEF 2)

Applicant: Tri-Tech Surveying Co., LP/Tri-Tech Engineering, LP



D – Variances

Site Location

Houston Planning Commission

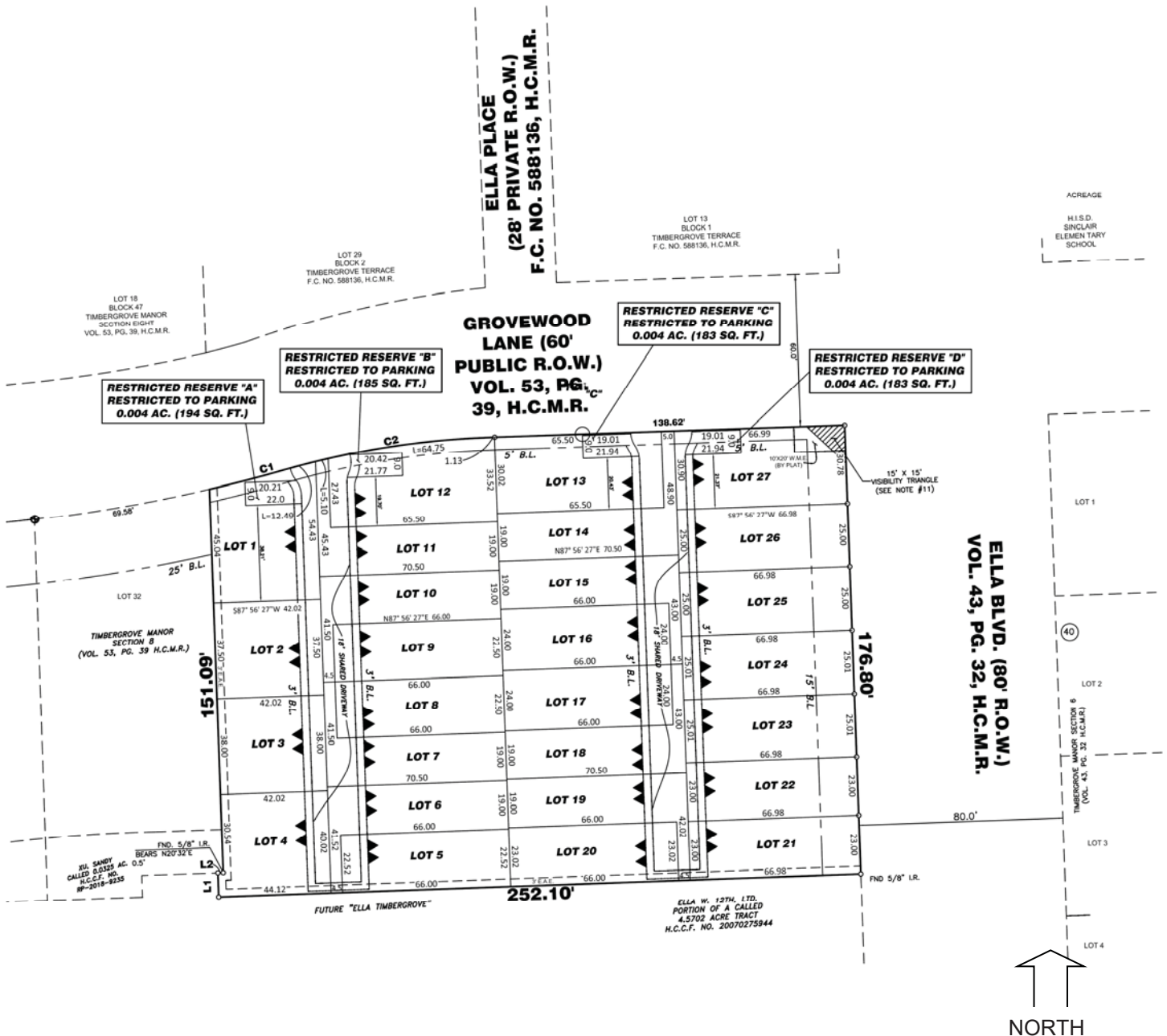
ITEM: 150

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Ella Grovewood (DEF 2)

Applicant: Tri-Tech Surveying Co., LP/Tri-Tech Engineering, LP



Houston Planning Commission

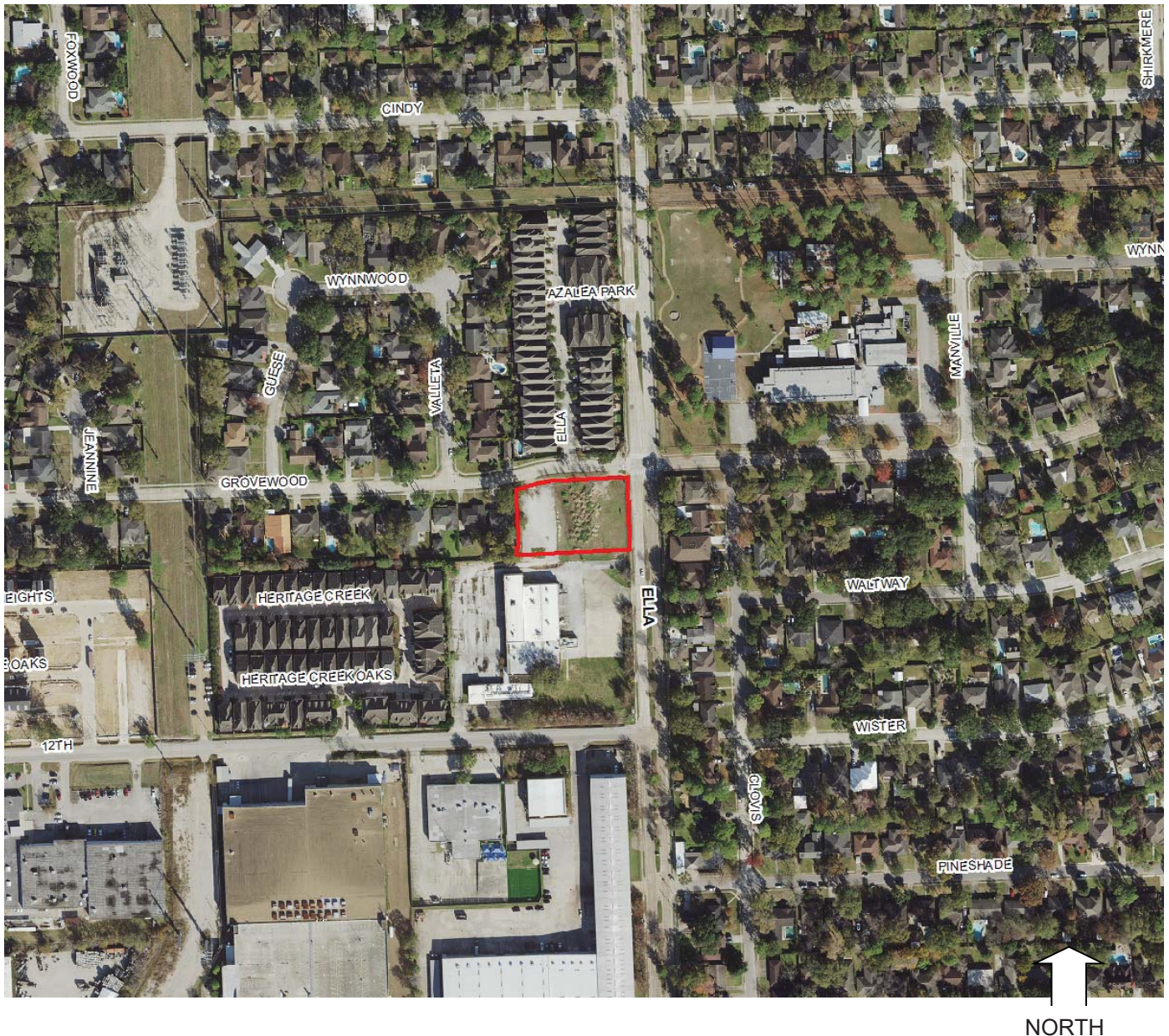
ITEM: 150

Planning and Development Department

Meeting Date: 12/16/2021

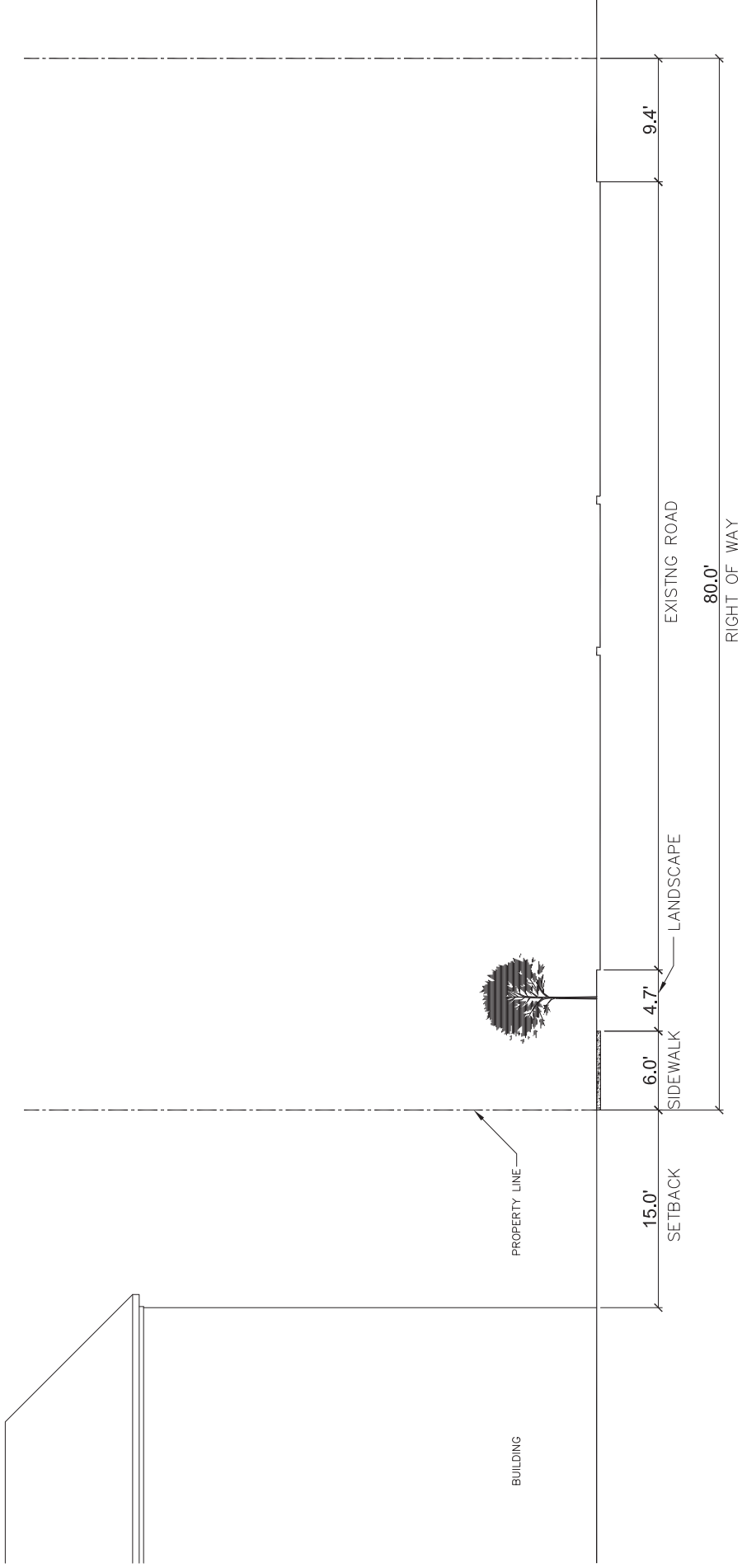
Subdivision Name: Ella Grovewood (DEF 2)

Applicant: Tri-Tech Surveying Co., LP/Tri-Tech Engineering, LP



D – Variances

Aerial



ELLA BOULEVARD CROSS SECTION



Application Number: 2021-2669

Plat Name: Ella Grovewood

Applicant: Tri-Tech Surveying Co., LP/Tri-Tech Engineering, LP

Date Submitted: 11/01/2021

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 are seeking a variance to allow a 15 foot building line along Ella Blvd., a Major Thoroughfare.

Chapter 42 Section: 152

Chapter 42 Reference:

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

Statement of Facts

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

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

The subject tract is located at the corner of Ella Blvd & Grovewood Ln. The site is surrounded by a mix of average to high density single-family residential developments with a commercial use tract to the south of West 12th St. The current use of this tract is commercial, but, with surrounding residential uses and an elementary school adjacent to the site, the best use of the land is to keep in line with the surrounding residential use. The applicant is requesting a reduced setback of 15 feet along Ella Blvd. from the required 25 foot setback. The current tract has a platted building line of 10 feet along Ella Blvd. so this will be an increase of five feet. The subdivision on the opposing face of Ella Blvd. also has a 15 foot setback so this will in effect mirror that and by doing so will ensure the character of the area is maintained. The 15 foot setback will maintain a minimum of 25 feet from the nearest edge of paving along Ella Blvd.

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

The adjacent single-family high-density residential developments and existing surrounding use has created an environment in which residential use on this tract is the best use. There is currently a 10-foot building line along Ella and the increase of five feet will mirror the opposing blockface.

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

The general purposes of Chapter 42 will be preserved and maintained by denying direct access to Ella Blvd. from any lot within this proposed subdivision. In addition, there will be doors and gated access to the existing sidewalks from the rear of lots along Ella Blvd. which will promote a pedestrian friendly environment.

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

The granting of this variance will ensure that public health, safety, and welfare will be maintained. This subdivision will ensure that there will not be any driveways along the major thoroughfare of Ella Blvd.

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

The justifications for the variance are based upon the unique features and characteristics of the land and the surrounding developments and subdivisions. Economic hardship is not being considered as a part of this variance application.



CITY OF HOUSTON

Planning and Development

Sylvester Turner

Mayor

Margaret Wallace Brown
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www.houstontx.gov

November 8, 2021

NOTICE OF VARIANCE

PROJECT NAME: Ella Grovewood

REFERENCE NUMBER: 2021-2669

VAR

Dear Property Owner:

The Planning and Development Department has received a subdivision plat application with a variance request for a property located at the southwest intersection of Grovewood Lane and Ella Boulevard. 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 request.

Tri-Tech Surveying Co., LP/Tri-Tech Engineering, LP, 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 15' building line, instead of the required 25' building line, along major thoroughfare Ella Boulevard. Enclosed are copies of the variance request, the proposed subdivision plat and exhibits 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. A sign with this information has also been posted on the project site. The Houston Planning Commission will hold a public meeting to consider this application.

PLANNING COMMISSION MEETING INFORMATION:

Thursday, November 18, 2021, beginning at 2:30 p.m.

City Hall Annex Building, 900 Bagby Street

City Council Chamber, Public Level, Houston, Texas

Members of the public may make comments or express concerns about the proposed project by either attending the meeting at City Council Chamber listed above or attending the meeting via Microsoft Teams at the time listed above. The Microsoft Teams meeting will allow for a two-way video/ audio communication with the Houston Planning Commission. **For instruction on how to join the Microsoft Teams meeting, interested persons are advised to check our website 72 hours prior to the Planning Commission meeting: www.houstonplanning.com or Call: 832-393-6624.**

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. 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 at least 24 hours in advance of the meeting to sign up to speak.

For additional information regarding this project, please call **Josh Kester** with Tri-Tech Surveying Co., LP/Tri-Tech Engineering, LP, at **713-667-0800**. You may also contact Aracely Rodriguez with the Planning and Development Department regarding this notice via email at planning.variances@houstontx.gov or call (832) 393-6574. 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.

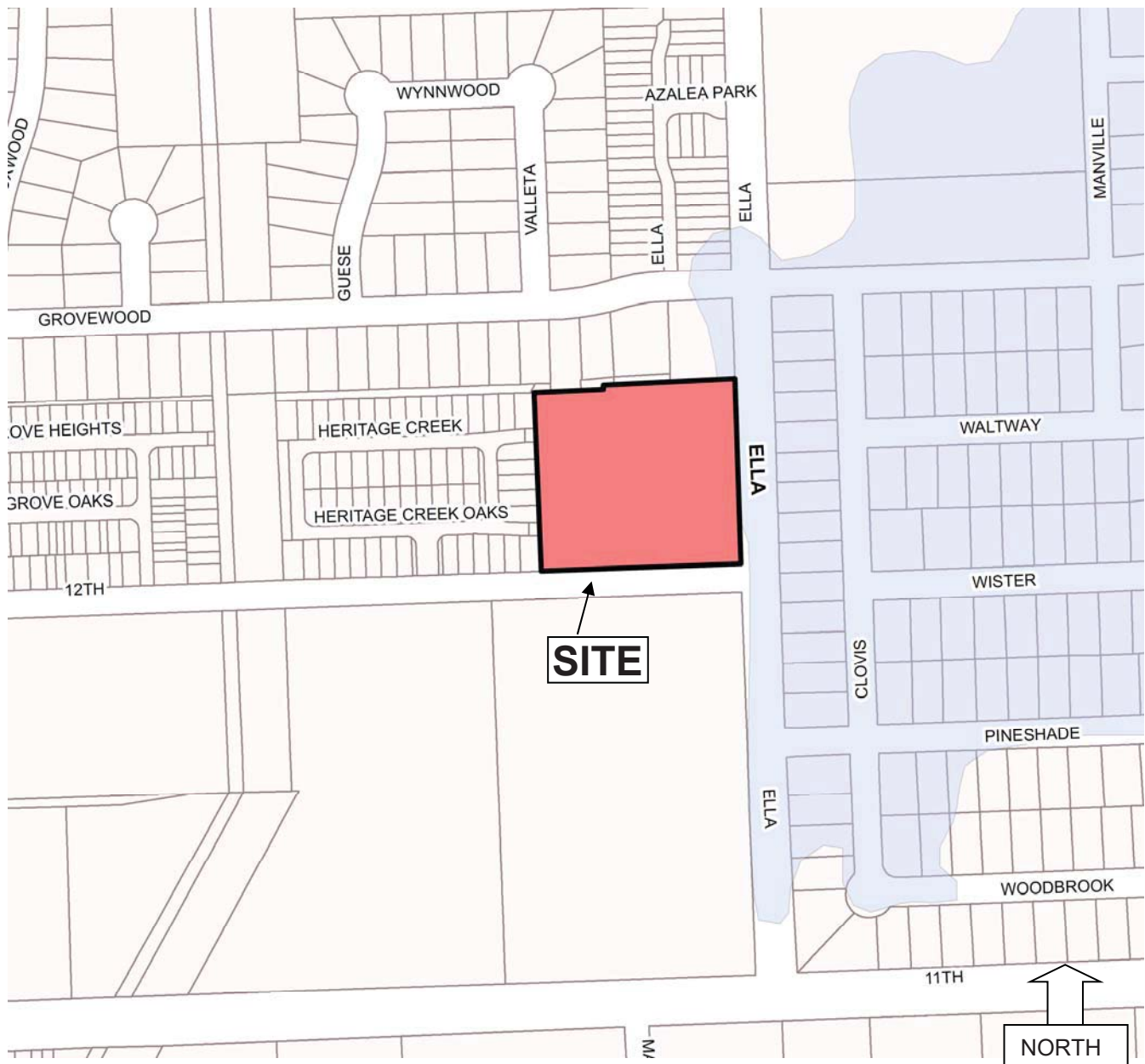
Houston Planning Commission **ITEM: 151**

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Ella Timbergrove (DEF 2)

Applicant: Tri-Tech Surveying Co., LP/Tri-Tech Engineering, LP



D – Variances

Site Location

Houston Planning Commission

ITEM: 151

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Ella Timbergrove (DEF 2)

Applicant: Tri-Tech Surveying Co., LP/Tri-Tech Engineering, LP



D – Variances

Subdivision

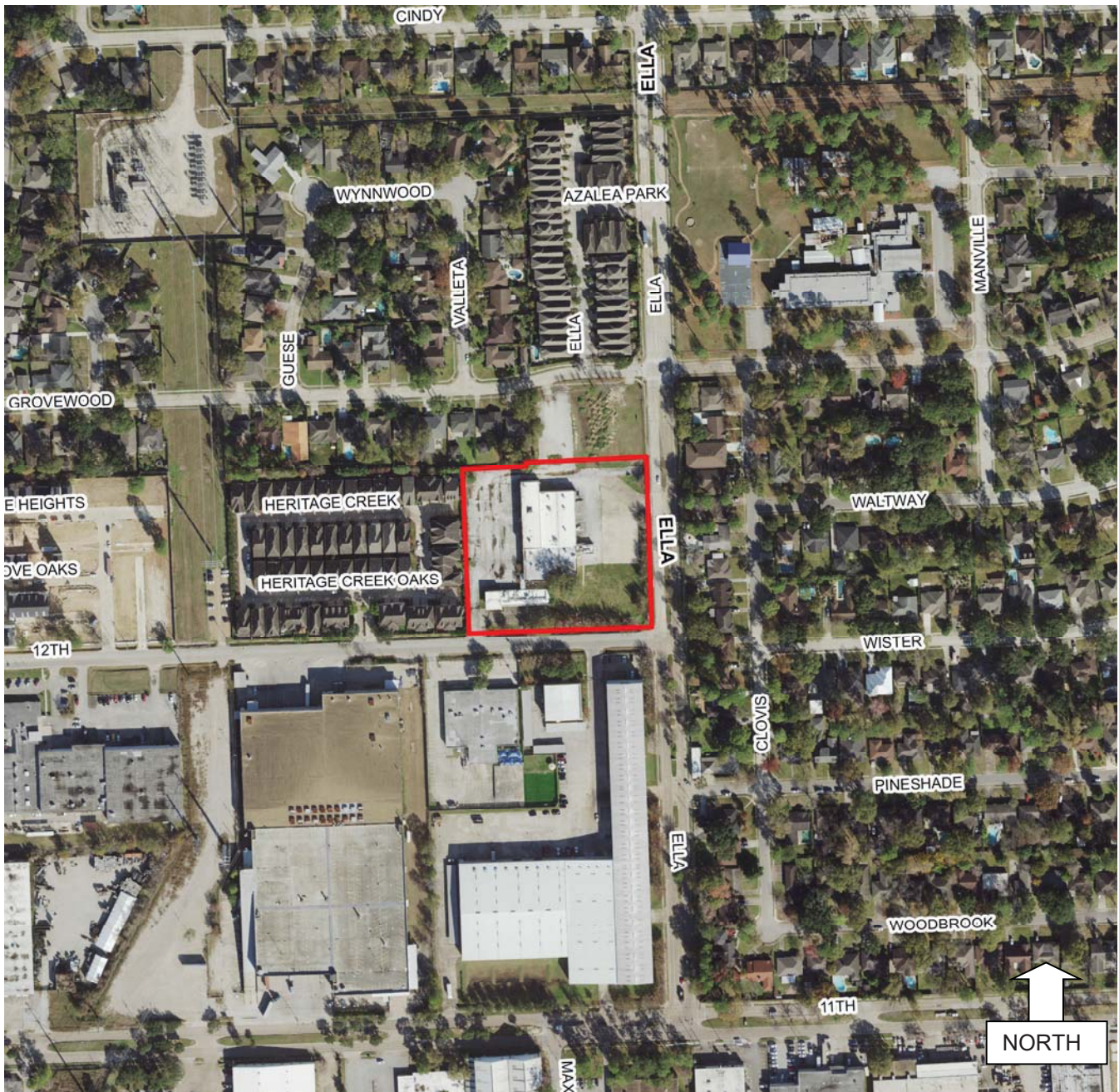
Houston Planning Commission **ITEM: 151**

Planning and Development Department

Meeting Date: 12/16/2021

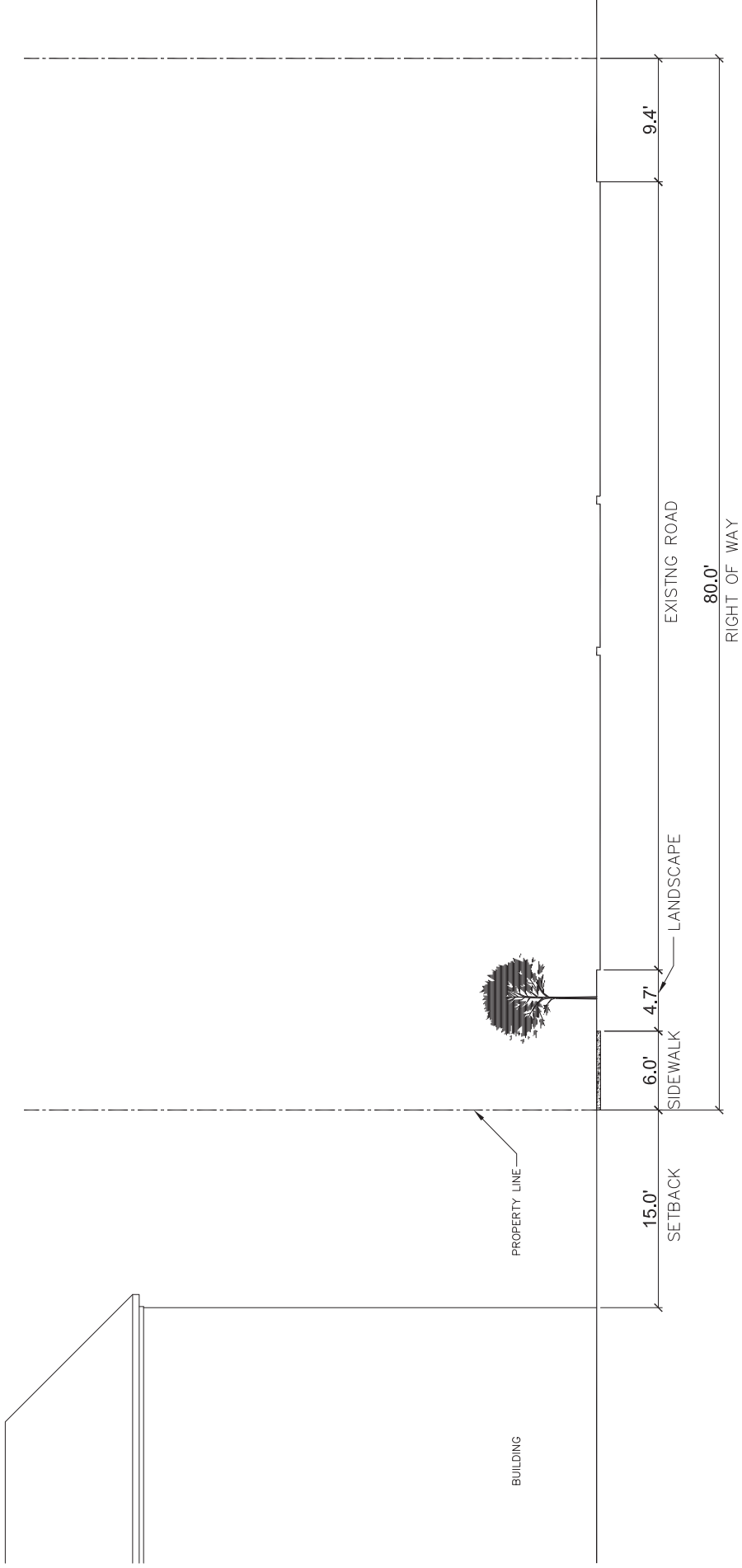
Subdivision Name: Ella Timbergrove (DEF 2)

Applicant: Tri-Tech Surveying Co., LP/Tri-Tech Engineering, LP



D – Variances

Aerial



ELLA BOULEVARD CROSS SECTION



Application Number: 2021-2667

Plat Name: Ella Timbergrove

Applicant: Tri-Tech Surveying Co., LP/Tri-Tech Engineering, LP

Date Submitted: 11/01/2021

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 are seeking a variance from the 25' building line requirement along Ella Blvd., a major thoroughfare.

Chapter 42 Section: 152

Chapter 42 Reference:

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

Statement of Facts

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

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

The subject tract is located at the corner of Ella Blvd & W 12th. The site is surrounded by a mix of average to high density single-family residential developments, public schools, and a commercial use tract to the south of West 12th St. The current use of this tract is commercial, but, with surrounding residential uses and an elementary school adjacent to the site, the best use of the land is to keep in line with the surrounding residential use. The applicant is requesting a reduced setback of 15 feet along Ella Blvd. from the required 25 foot setback. The current tract has a platted building line of 10 feet along Ella Blvd. so this will be an increase of five feet. The subdivision on the opposing face of Ella Blvd. also has a 15 foot setback so this will in effect mirror that and by doing so will ensure the character of the area is maintained. The 15 foot setback will maintain a minimum of 25 feet from the nearest edge of paving along Ella Blvd.

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

The adjacent single-family high-density residential developments and existing surrounding use has created an environment in which residential use on this tract is the best use. There is currently a 10-foot building line along Ella and the increase of five feet will mirror the opposing blockface.

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

The general purposes of Chapter 42 will be preserved and maintained by denying direct vehicular access to Ella Blvd. and creating a pedestrian realm. In addition, there will be doors and gated access to the sidewalks from the rear of lots along Ella Blvd. which will promote a pedestrian friendly environment.

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

The granting of this variance will ensure that public health, safety, and welfare will be maintained. This subdivision will ensure that there will not be any driveways along the major thoroughfare of Ella Blvd.

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

The justifications for the variance are based upon the unique features and characteristics of the land and the surrounding developments and subdivisions. Economic hardship is not being considered as a part of this variance application.



CITY OF HOUSTON

Planning and Development

Sylvester Turner

Mayor

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www.houstontx.gov

November 8, 2021

NOTICE OF VARIANCE

PROJECT NAME: Ella Timbergrove

REFERENCE NUMBER: 2021-2667

VAR

Dear Property Owner:

The Planning and Development Department has received a subdivision plat application with a variance request for a property located at the northwest intersection of W 12th Street and Ella Boulevard. 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 request.

Tri-Tech Surveying Co., LP/Tri-Tech Engineering, LP, 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 15' building line, instead of the required 25' building line, along major thoroughfare Ella Boulevard. Enclosed are copies of the variance request, the proposed subdivision plat and exhibits 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. A sign with this information has also been posted on the project site. The Houston Planning Commission will hold a public meeting to consider this application.

PLANNING COMMISSION MEETING INFORMATION:

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City Hall Annex Building, 900 Bagby Street

City Council Chamber, Public Level, Houston, Texas

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For additional information regarding this project, please call **Josh Kester** with Tri-Tech Surveying Co., LP/Tri-Tech Engineering, LP, at **713-667-0800**. You may also contact Aracely Rodriguez with the Planning and Development Department regarding this notice via email at planning.variances@houstontx.gov or call (832) 393-6574. 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.

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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.
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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

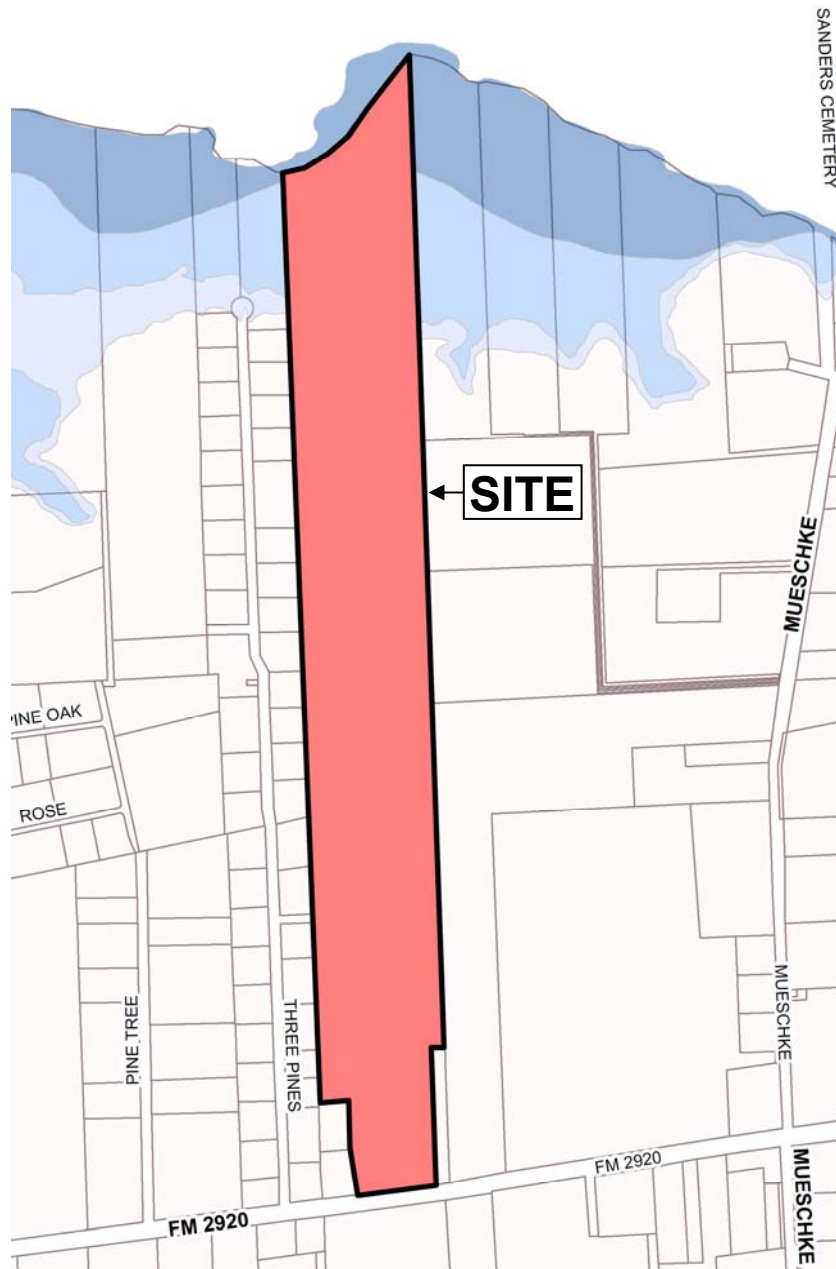
ITEM: 152

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Enclave at Rosehill GP (DEF 2)

Applicant: Texas Engineering And Mapping Company



D – Variances

Site Location

Houston Planning Commission

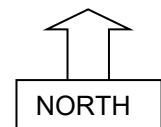
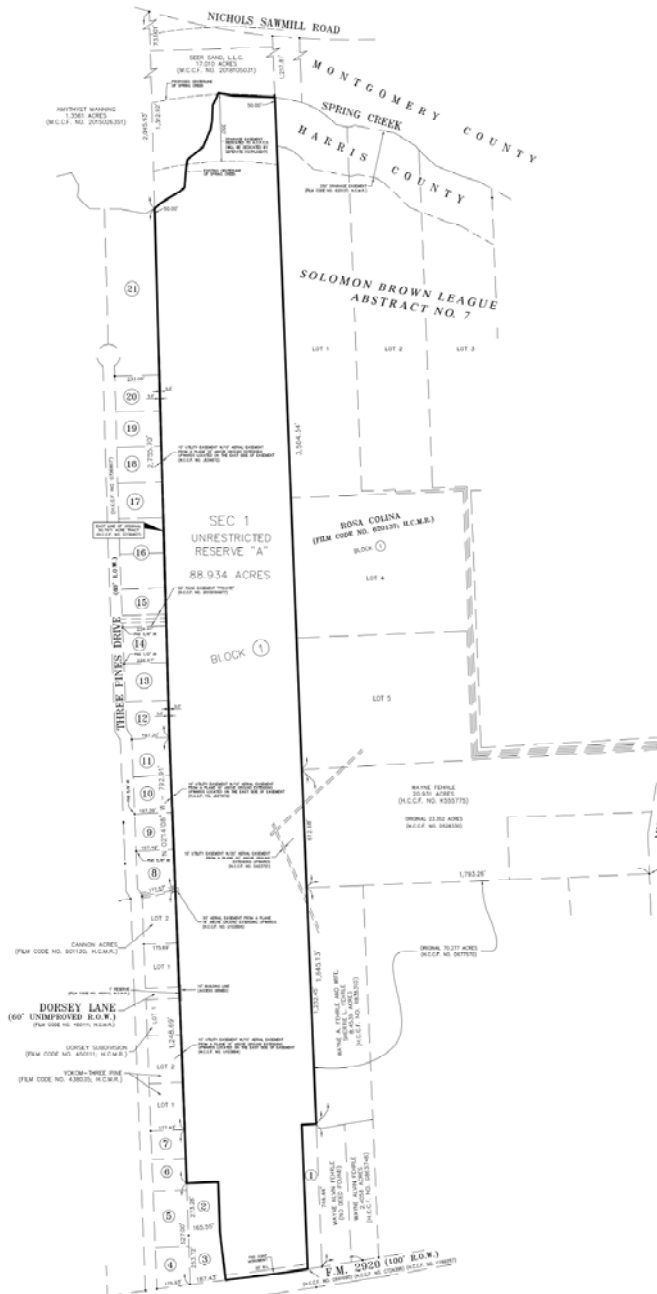
ITEM: 152

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Enclave at Rosehill GP (DEF 2)

Applicant: Texas Engineering And Mapping Company



D – Variances

Subdivision

Houston Planning Commission

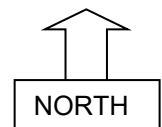
ITEM: 152

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Enclave at Rosehill GP (DEF 2)

Applicant: Texas Engineering And Mapping Company



D – Variances

Aerial



Application Number: 2021-2656

Plat Name: Enclave at Rosehill GP

Applicant: Texas Engineering And Mapping Company

Date Submitted: 11/01/2021

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

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

Specific Variance is being sought and extent of variance:

A variance is being requested for no north-south public street to be dedicated through this development.

Chapter 42 Section: 42-127 and 42-130

Chapter 42 Reference:

42-127 (a) A major thoroughfare shall intersect with a public local street, a collector street or another major thoroughfare at least every 2,600 feet. 42-130 (4) the crossing of a drainage channel required by a governmental entity with flood control jurisdiction to be located in a recorded drainage easement having a required width of 220 feet or more by a street more than every ½ mile.

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 has an area of 88.911 acres with a maximum width of 680 feet and a depth of over one mile. The south boundary of this tract is F.M. 2920 and the north boundary is Spring Creek which is also the county line between Harris County and Montgomery County. The proposed development is a master-planned privately-secured multi-family facility with high end amenities. The strict application of requiring a local north-south street to be dedicated through this property would create an undue hardship depriving the applicant of the reasonable use of the land by: (1) creating a street through the development that would not substantially benefit the circulation of traffic through the area; (2) requiring a street for this area is low density area because of the flood plain and large acreage type development with low traffic volume; (3) not being able to practically extend this street in the northerly direction because of the future width of Spring Creek; (4) not being able to connect an east-west street to this north-south street in a practical way because of previously platted subdivisions in each direction (Holly Springs and Rosa Colina); (5) splitting the subject tract into two parts with minimal traffic benefit. This would also negate the privacy and security of this proposed community; and, (6) requiring this street within the ½ mile requirement from Mueschke Road (2,473') which will extend over Spring Creek, turn westerly, and then northerly again (as Grand Pines Road). This thoroughfare will provide adequate north-south traffic flow into/from a low density area of Montgomery County.

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

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

The applicant did not create the circumstances that support the granting of this variance. This street connection would connect to Grand Pines Road causing traffic to cut-through this development instead of continuing along the route of the major thoroughfare. A bridge over Spring Creek for a local street also makes this street impractical.

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

The site plan for this multi-family development has been reviewed by the Harris County Fire Marshal which has given their approval for the emergency access plan within the development. The access will be by a boulevard type driveway into the facility leading to a system of driveways throughout. The privacy that this variance approval would afford to this development is essential to the viability of this project. It will also be a significant matter of safety and security, as well as a quality of life issue for the future residents. Connectivity with other types of residential development is impractical given the circumstances.

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

The Harris County Fire Marshal has reviewed the emergency access plan for this master-planned community and has given the project engineers their approval to proceed with the project. Project amenities will promote the health & welfare of the future residents and the surrounding public will have minimal impact from this development. Therefore, the granting of this variance will not be injurious to the public health, safety, or welfare of the surrounding area.

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

This variance request is about providing the opportunity for this master-planned project to have a private residential community that provides high-end amenities in a safe and secure environment. Requiring the north-south local public street through this development would be impractical and would deprive the application of the reasonable use of the property given the circumstances. This variance request is not about the burden of an economic hardship on the applicant.



PLANNING & DEVELOPMENT DEPARTMENT

APPLICANT'S Variance Request Form

Application Number: 2021-2656

Plat Name: Enclave at Rosehill GP

Applicant: Texas Engineering And Mapping Company

Date Submitted: 11/01/2021

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

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

Specific Variance is being sought and extent of variance:

A variance is being requested for no east-west public street to be dedicated through this development. Specifically, for no westerly street along the entire boundary line, and for no easterly street from F.M. 2920 to the Rosa Colina subdivision since they have already received a variance request for this item.

Chapter 42 Section: 42-128

Chapter 42 Reference:

(a) Each Class III Plat and each general plan that shows local streets shall provide for internal circulation by meeting either of the following requirements: (1) Each local street shall intersect with a street that meets the requirements of subsection (b) at least every 1,400 feet.

Statement of Facts

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

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

The subject property has an area of 88.911 acres with a maximum width of 680 feet and a depth of over one mile. The south boundary of this tract is F.M. 2920 and the north boundary is Spring Creek which is also the county line between Harris County and Montgomery County. The proposed development is a master-planned privately-secured multi-family facility with high end amenities. The strict application of requiring local east-west streets to be dedicated through this property would create an impractical development and one contrary to sound public policy by: (1) creating streets through the development that would not substantially benefit the circulation of traffic through the area; (2) connecting streets to the residential subdivision to the west that could only go to Three Pines Drive and pose an unwanted traffic burden on that quiet community; (3) not being able to extend these streets in the westerly direction passed Three Pines Drive because of the previously platted subdivision of Holly Springs, which did not stub out any streets to its easterly border; (4) not being able to extend a street through to Muesche Road for the northerly two-thirds of the subject tract because of the previously platted subdivision of Rosa Colina, which did not stub out any streets to its westerly border common to this property; (5) splitting the subject tract into parts with minimal traffic benefit. This would also negate the privacy and security of this proposed community; and, (6) mixing a multi-family community with a single family community.

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

The applicant did not create the circumstances that support the granting of this variance. Properties were platted to the east and west of this site without creating connecting stub streets to most of the property. The only possible east-west connection would be to Dorsey Lane; however, this street terminates at Three Pines Drive in a quiet residential community and cannot be extended west to provide traffic circulation. This street connection would create angst with the

adjoining community and would split this proposed private gated development, and would not significantly improve traffic flow for the area.

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

The granting of this variance will ensure that the residential community on the west side of this property retains its low-density charm without cut-through traffic. The site plan for this multi-family development has also been reviewed by the Harris County Fire Marshal which has given their approval for the emergency access plan within the development. The access will be by a boulevard type driveway into the facility leading to a system of driveways throughout. The privacy that this variance approval would afford to this development is essential to the viability of this project. It will also be a significant matter of safety and security, as well as a quality of life issue for the future residents.

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

The Harris County Fire Marshal has reviewed the emergency access plan for this master-planned community and has given the project engineers their approval to proceed with the project. Project amenities will promote the health & welfare of the future residents and the surrounding public will have minimal impact from this development. Therefore, the granting of this variance will not be injurious to the public health, safety, or welfare of the surrounding area.

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

This variance request is about maintaining the quality of life for the adjacent residential subdivision and providing the opportunity for this master-planned project to have a private residential community that provides high-end amenities in a safe and secure environment. This variance request is not about the burden of an economic hardship on the applicant.



Application Number: 2021-2656

Plat Name: Enclave at Rosehill GP

Applicant: Texas Engineering And Mapping Company

Date Submitted: 11/01/2021

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 developers of the subject property are seeking a variance from the Dorsey Lane stub street not to enter the subject property.

Chapter 42 Section: 42-134

Chapter 42 Reference:

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

Statement of Facts

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

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

The subject property has an area of 88.911 acres with a maximum width of 680 feet and a depth of over one mile. The south boundary of this tract is F.M. 2920 and the north boundary is Spring Creek which is also the county line between Harris County and Montgomery County. The proposed development is a master-planned privately-secured multi-family facility with high end amenities. The strict application of requiring Dorsey Lane to be dedicated through this property would create an impractical development and one contrary to sound public policy by: (1) creating a street through the development that would not substantially benefit the circulation of traffic through the area; (2) connecting this street to the residential subdivision to the west that could only go to Three Pines Drive and pose an unwanted traffic burden on that quiet community; (3) not being able to extend this street in the westerly direction passed Three Pines Drive because of the previously platted subdivision of Holly Springs, which did not stub out any streets to its easterly border; (4) splitting the subject tract into two parts with minimal traffic benefit. This would also negate the privacy and security of this proposed multi-family community; and, (5) mixing a multi-family community with a single-family community.

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

The applicant did not create the circumstances that support the granting of this variance. Dorsey Lane was platted as part of Dorsey Subdivision (Film Code No. 450111; H.C.M.R.) Dorsey Lane terminates at Three Pines Drive in a quiet residential community and cannot be extended west to provide traffic circulation. Holly Springs was platted to the west of

this site without creating connecting stub streets. This street connection would create angst with the adjoining community and would split this proposed private gated development, and would not significantly improve traffic flow for the area.

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

The granting of this variance will ensure that the residential community on the west side of this property retains its low-density charm without cut-through traffic. The site plan for this multi-family development has also been reviewed by the Harris County Fire Marshal which has given their approval for the emergency access plan within the development. The access will be by a boulevard type driveway into the facility leading to a system of driveways throughout. The privacy that this variance approval would afford to this development is essential to the viability of this project. It will also be a significant matter of safety and security, as well as a quality of life issue for the future residents.

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

The Harris County Fire Marshal has reviewed the emergency access plan for this master-planned community and has given the project engineers their approval to proceed with the project. Project amenities will promote the health & welfare of the future residents and the surrounding public will have minimal impact from this development. Therefore, the granting of this variance will not be injurious to the public health, safety, or welfare of the surrounding area.

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

This variance request is about maintaining the quality of life for the adjacent residential subdivision and providing the opportunity for this master-planned project to have a private residential community that provides high-end amenities in a safe and secure environment. This variance request is not about the burden of an economic hardship on the applicant.

Houston Planning Commission

ITEM: 153

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: George Heights

Applicant: The Interfield Group, LLC



D – Variances

Site Location

Houston Planning Commission

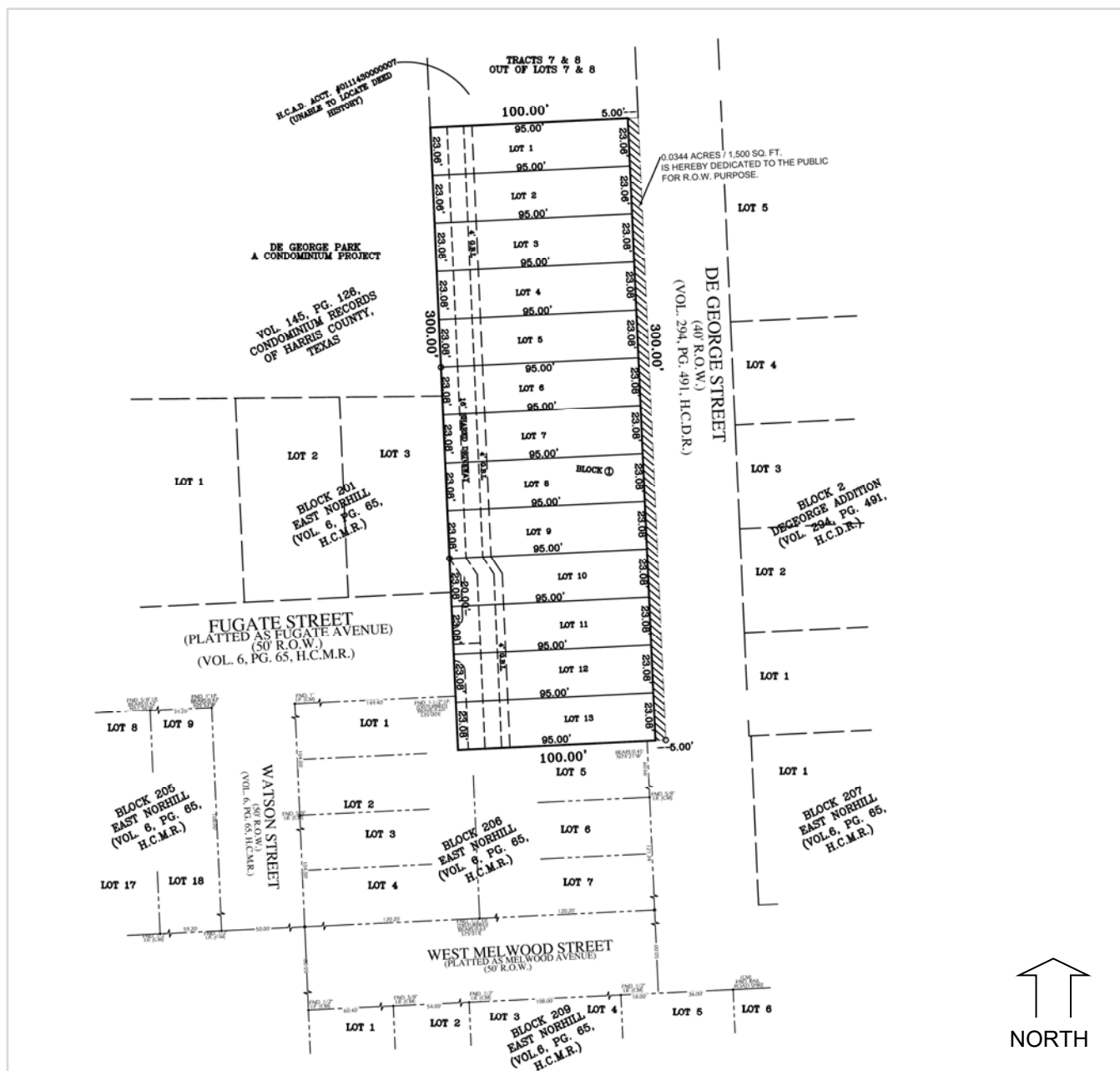
ITEM: 153

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: George Heights

Applicant: The Interfield Group, LLC



D – Variances

Subdivision

Houston Planning Commission

ITEM: 153

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: George Heights

Applicant: The Interfield Group, LLC



D – Variances

Aerial



PLANNING & DEVELOPMENT DEPARTMENT

APPLICANT'S Variance Request Form

Application Number: 2021-2551

Plat Name: George Heights

Applicant: The Interfield Group

Date Submitted: 10/18/2021

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

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

Specific Variance is being sought and extent of variance:

Specific variance is being sought and extent of condition is to not provide a street through subject tract or terminate with a cul-de-sac

Chapter 42 Section: 135

Chapter 42 Reference:

Sec. 42-135. Street Extensions

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;

George Heights is located east of Fugate Street, west of De George Street, southerly of N Main Street and north of W Melwood Street. Georges Heights is out of DeGeorge Subdivision filed of record in 1912. East Norhill created the stub street of Fugate Street (platted as Avenue) in 1924. Please note the following: 1. To our knowledge, City of Houston mobility plan does not have a planned extension in this area of Fugate Street. 2. Subject property is 92.32' wide. Extending Fugate Street, a 50' right of way, would deny owner of approximately 0.1147-acres (5000 SF) out of a 9,232 square foot property. 3. Most of the surrounding area is substantially already developed and appears to have an adequate traffic pattern in place. It appears unlikely that this subdivision would require a street to extend to DeGeorge Street. 4. The property is only 92.32 feet in width, so a 50' public street would make the project infeasible. We are of the opinion that extending a street within subject subdivision would not significantly improve current traffic pattern.

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

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

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

The intent and general purpose of Chapter 42 will be preserved and maintained, due to the following considerations: a. Proposed development will include a 5-foot sidewalk along DeGeorge Street b. Yards between right-of-way line and homes will be landscaped and will preserve and enhance the general character of block face. c. A pedestrian buffer will be provided between paved lanes and proposed sidewalk, including 3" caliper trees.

(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. Property does not impede traffic; nor will in any way compromise public health or safety. On the contrary, there would be less of a concern that residents would be more accessible to crime and avoid more traffic for Fugate Street.

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

Economic hardship is not the sole justification of the variance, which is being requested on the basis of a reasonable assessment of nearby prevailing conditions.



CITY OF HOUSTON

Planning and Development

Sylvester Turner

Mayor

Margaret Wallace Brown
Director
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November 23rd, 2021

NOTICE OF VARIANCE

PROJECT NAME: George Heights
REFERENCE NUMBER: 2021-2551

VAR

Dear Property Owner:

The Planning and Development Department has received a subdivision plat application with a variance request for a property located west along De George Street and South of E. 14th 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.

The Interfiled Group, the applicant, has filed the request on behalf of the developer of the subject site. The applicant is requesting a variance to not extend or terminate West Fugate Street with a cul-de-sac. Enclosed are copies of the variance request, the proposed subdivision plat, and the site plan submitted by the applicant.

The Planning and Development Department staff is currently reviewing this application and will present a recommendation to the Houston Planning Commission. The Commission is the non-legislative body authorized to review and render decisions on subdivision applications and requests. A sign with this information has also been posted on the project site. The Houston Planning Commission will hold a public meeting to consider this application.

PLANNING COMMISSION MEETING INFORMATION:

Thursday, December 2nd, 2021, beginning at 2:30 p.m.

City Hall Annex Building, 900 Bagby Street

City Council Chamber, Public Level, Houston, Texas

Members of the public may make comments or express concerns about the proposed project by either attending the meeting at City Council Chamber listed above or attending the meeting via Microsoft Teams at the time listed above. The Microsoft Teams meeting will allow for a two-way video/ audio communication with the Houston Planning Commission. **For instruction on how to join the Microsoft Teams meeting, interested persons are advised to check our website 72 hours prior to the Planning Commission meeting: www.houstonplanning.com or Call: 832-393-6624.**

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. 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 at least 24 hours in advance of the meeting to sign up to speak.

For additional information regarding this project, please call Mary Villareal with "The interfiled Group" at 713-780-0909 Ext 312. You may also contact Devin Crittle with the Planning and Development Department regarding this notice via email at planning.variances@houstontx.gov or call (832)393-6600. To view the complete Planning Commission meeting agenda, go to www.houstonplanning.com. Information on the reverse side of this page explains more about the terminology used in this letter.

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

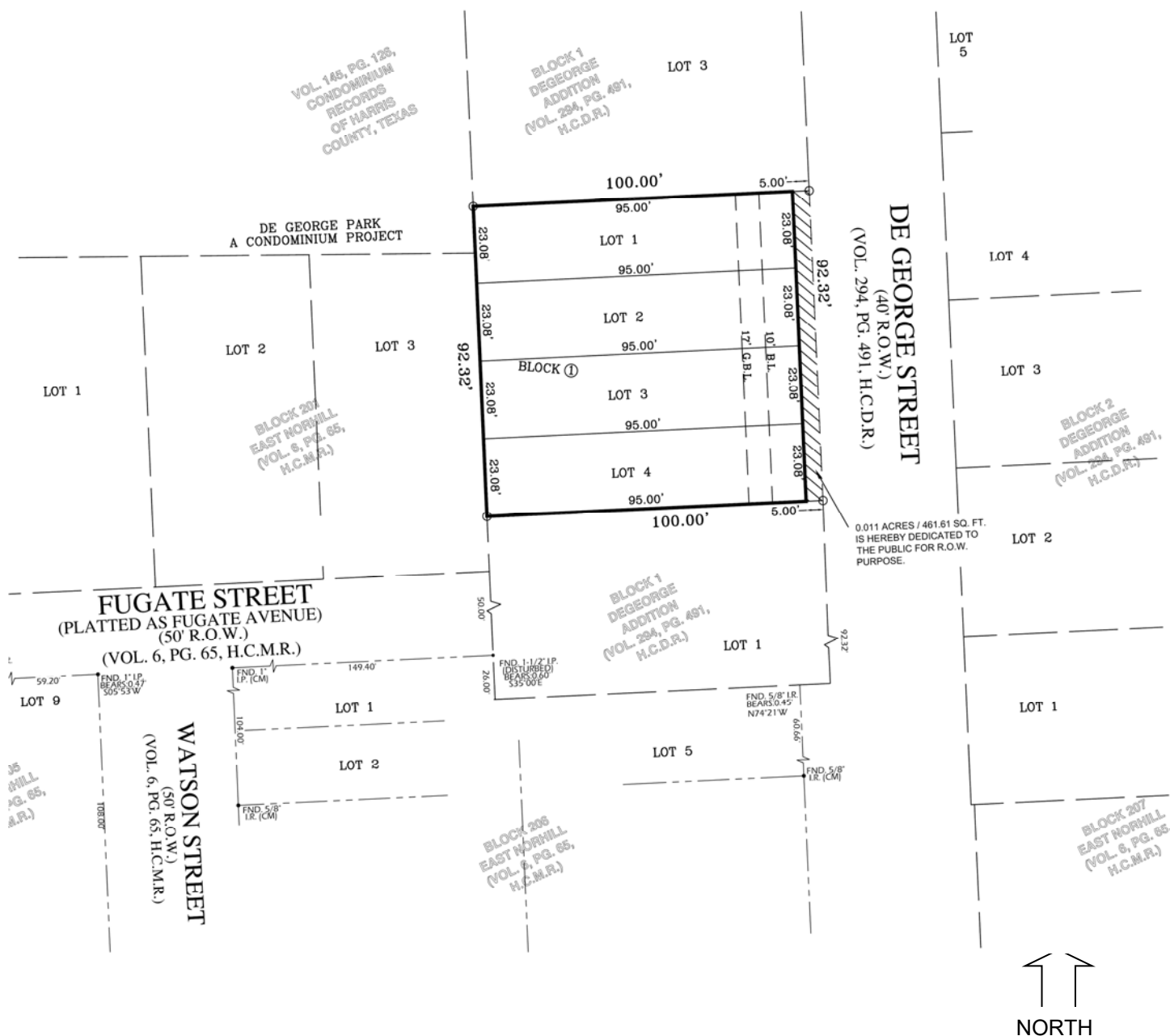
ITEM: 154

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: George Mansions (DEF 1)

Applicant: The Interfield Group



D – Variances

Subdivision

Houston Planning Commission

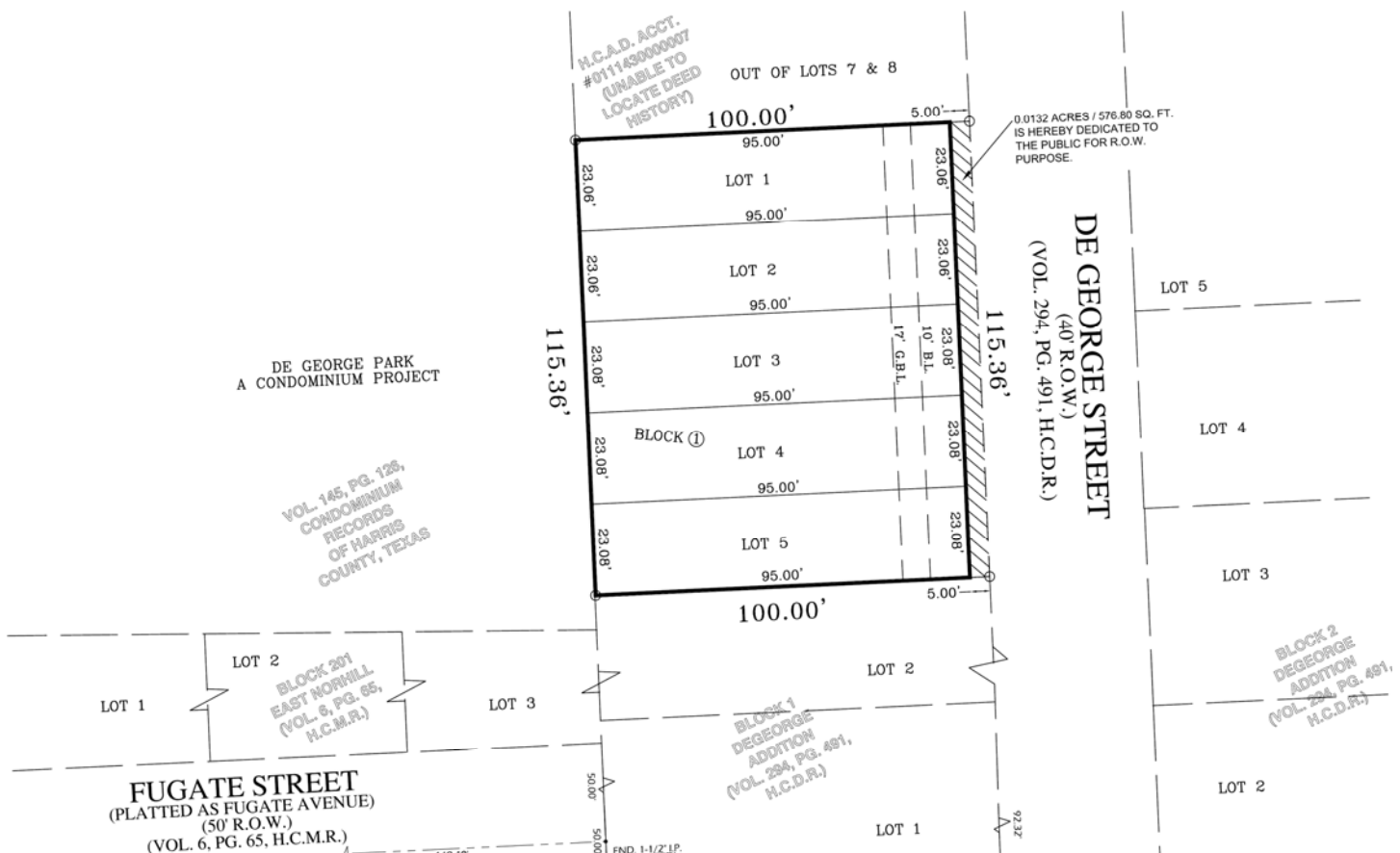
ITEM: 155

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: George Oaks (DEF 1)

Applicant: The Interfield Group



D – Variances

Subdivision

Houston Planning Commission

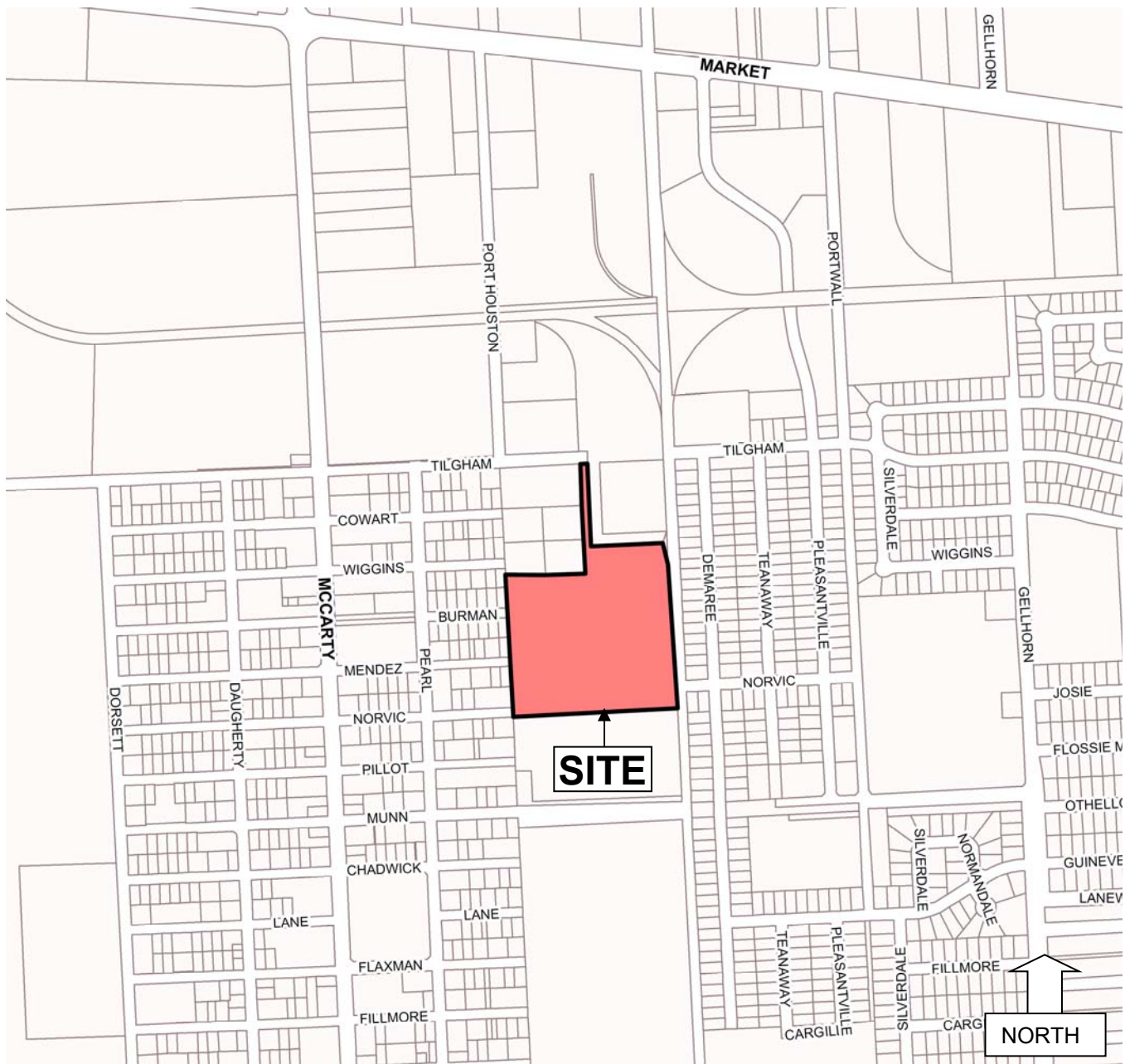
ITEM: 156

Planning and Development Department

Meeting Date: 12/16/2021

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

Applicant: Texas Legal Media



D – Variances

Site Location

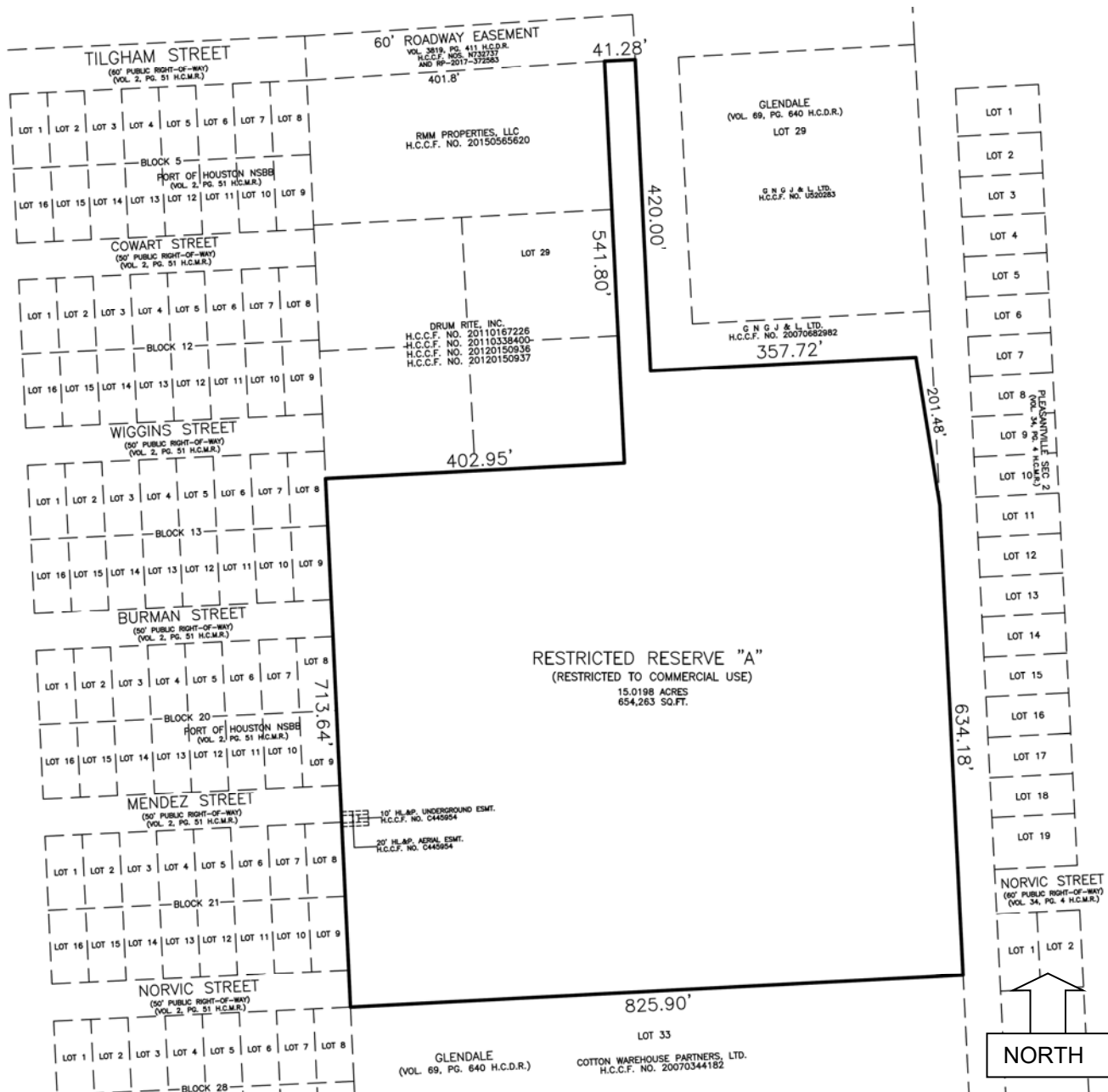
Houston Planning Commission ITEM: 156

Planning and Development Department

Meeting Date: 12/16/2021

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

Applicant: Texas Legal Media



D – Variances

Subdivision

Houston Planning Commission

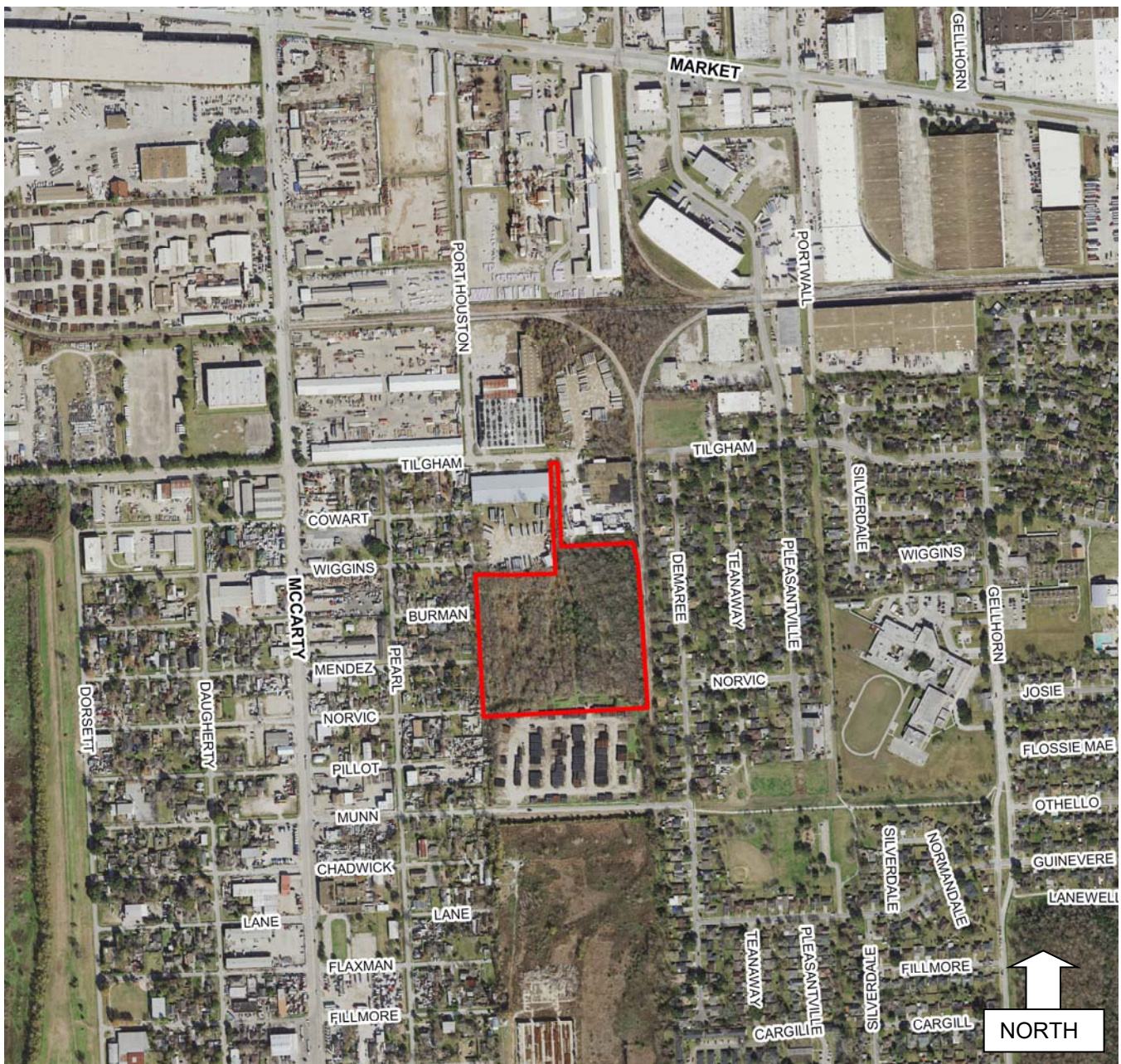
ITEM: 156

Planning and Development Department

Meeting Date: 12/16/2021

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

Applicant: Texas Legal Media



D – Variances

Aerial



**PLANNING &
DEVELOPMENT
DEPARTMENT**

**APPLICANT'S
Variance Request Form**

Application Number: 2021-2486
Plat Name: Glendale partial replat no 1
Applicant: Texas Legal Media
Date Submitted: 10/17/2021

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 no extend Burman Street, Mendez Street and Norvic Street, that abuts the proposed subdivision, nor end them in a cul-de-sac.

Chapter 42 Section: 42.134

Chapter 42 Reference:

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;

This proposed replat meets the exception of Chapter 42-130 (a) (3) that states: The crossing of an existing railroad track (other than an industrial lead) does not require the extension of the 3 ROW's that terminate into the property to be extended. Ch. 42-134 states that if the ROW's do not terminate in a turn around they should be extended. Since the extension is not required due to 42-130, the cul-de-sac requirement should also not be required as there is not a need for traffic to enter these streets besides the home owners that live on Burman Street, Mendez Street and Norvic Street. The people that live on the street have the approximately 16 driveways per ROW used to access their homes, where they currently and will continue to use for turn around. The Proposed Replat will not be taking vehicular access from these 3 residential ROW's per a restriction that will be noted on the replat and will not add to the trips of these ROWs. The railroad that runs the extent of our tracts eastern boarder is the unusual physical characteristic that affects the property preventing the requirement for the streets to be extended.

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

The rail line is an existing characteristic of this parcel and as such, the supporting of this variance request is not a result of any hardship created by the owner or applicant. The rail line has existed since the mid 1900s and the owner has no control over its creation or existence.

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

Since the proposed replat meets the exception of Ch. 42-130 and is not required to extend the street through the proposed subdivision the general purpose of this chapter is being preserved in granting the variance request.

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

The ROW's that terminate into the subject tract are only about 400' in length from our tract to the next intersection. The rail line that causes the exception of Ch. 42-130 runs thousands of feet all the way from the Port of Houston continuing far south of the subject tract. Along with the 3 ROW's mentioned in this request, a dozen other short streets also do not continue eastward past the rail line. This creates a situation where there is no real reason for vehicular traffic to venture onto the ROWs in question. Since there are existing driveways for the only vehicles that would choose to enter the 3 short ROW's described above, and those driveways provide adequate turn around, the granting of the variance will not be injurious to the public health, safety or welfare of the public.

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

Economic Hardship is not the sole justification for the variance. The unusual physical characteristic of the rail line and the exception it creates is the majority of the justification for the request.



Application Number: 2021-2486
Plat Name: Glendale partial replat no 1
Applicant: Texas Legal Media
Date Submitted: 10/17/2021

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 be able to take access from a 60' Access Easement instead of the "Public Street" called for in the table under rule 42-190 (c).

Chapter 42 Section: 42-190 (c) table

Chapter 42 Reference:

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: Table: 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

The strict imposition of the rules of the table requiring the development to take access from the "Public Street" creates either an undue hardship that directly deprives the owner from being able to access the property at all. Besides the 3 residential neighborhood ROW's that this commercial reserve will be restricted from taken access from, there is only a short Access Easement that extends from a Public Street, Tilgham Street, and is the only conceivable way to access the property. The AE was clearly created with the purpose of giving vehicular access to this tract and denying the request would effectively land lock the commercial tract.

(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 Access Easement was established well before the owner took possession of the land and is not a hardship created by the owner or applicant. The AE in question is 60' which is the required width that a public street should be according to the table in 42-190.

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

This Access Easement is accessible by the public and meets all the same criteria of a public street making them virtually equal in effectiveness.

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

Because the public street, being called for in the ordinance, is hardly different than the access easement that exists, the granting of this request will be in no way injurious to the health, safety, or welfare of the public.

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

Economic hardship does not apply any way to the granting of this variance. It should simply be granted so that the land owner can make use of his purchased land.



CITY OF HOUSTON

Planning and Development

Sylvester Turner

Mayor

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November 8, 2021

NOTICE OF VARIANCE

PROJECT NAME: Glendale partial replat no 1
REFERENCE NUMBER: 2021-2486



Dear Property Owner:

The Planning and Development Department has received a subdivision plat application with a variance request for a property located at the eastern stub of Burman Street, south of Market Street and east of Mccarty 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.

Texas Legal Media, the applicant, has filed the request on behalf of the developer of the subject site. The applicant is requesting a variance to not extend nor end in a cul-de-sac Burman Street, Mendez Street, and Norvic Street. They are also requesting to be allowed to take access via a 60' Access Easement along Tilgham Street, instead of a public street. 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. A sign with this information has also been posted on the project site. The Houston Planning Commission will hold a public meeting to consider this application.

PLANNING COMMISSION MEETING INFORMATION:

Thursday, November 18, 2021, beginning at 2:30 p.m.
City Hall Annex Building, 900 Bagby Street
City Council Chamber, Public Level, Houston, Texas

Members of the public may make comments or express concerns about the proposed project by either attending the meeting at City Council Chamber listed above or attending the meeting via Microsoft Teams at the time listed above. The Microsoft Teams meeting will allow for a two-way video/ audio communication with the Houston Planning Commission.

For instruction on how to join the Microsoft Teams meeting, interested persons are advised to check our website 72 hours prior to the Planning Commission meeting: www.houstonplanning.com or Call: 832-393-6624.

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

Council Members: Amy Peck Tarsha Jackson Abbie Kamin Carolyn Evans-Shabazz Dave Martin Tiffany D. 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 Brown

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. 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 at least 24 hours in advance of the meeting to sign up to speak.

For additional information regarding this project, please call **Matthew Sigmon with Texas legal Media at 713-298-9987**. You may also contact **John Cedillo** 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: 157

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Green Scapes

Applicant: West Belt Surveying, Inc.



D – Variances

Site Location

Subdivision

Houston Planning Commission

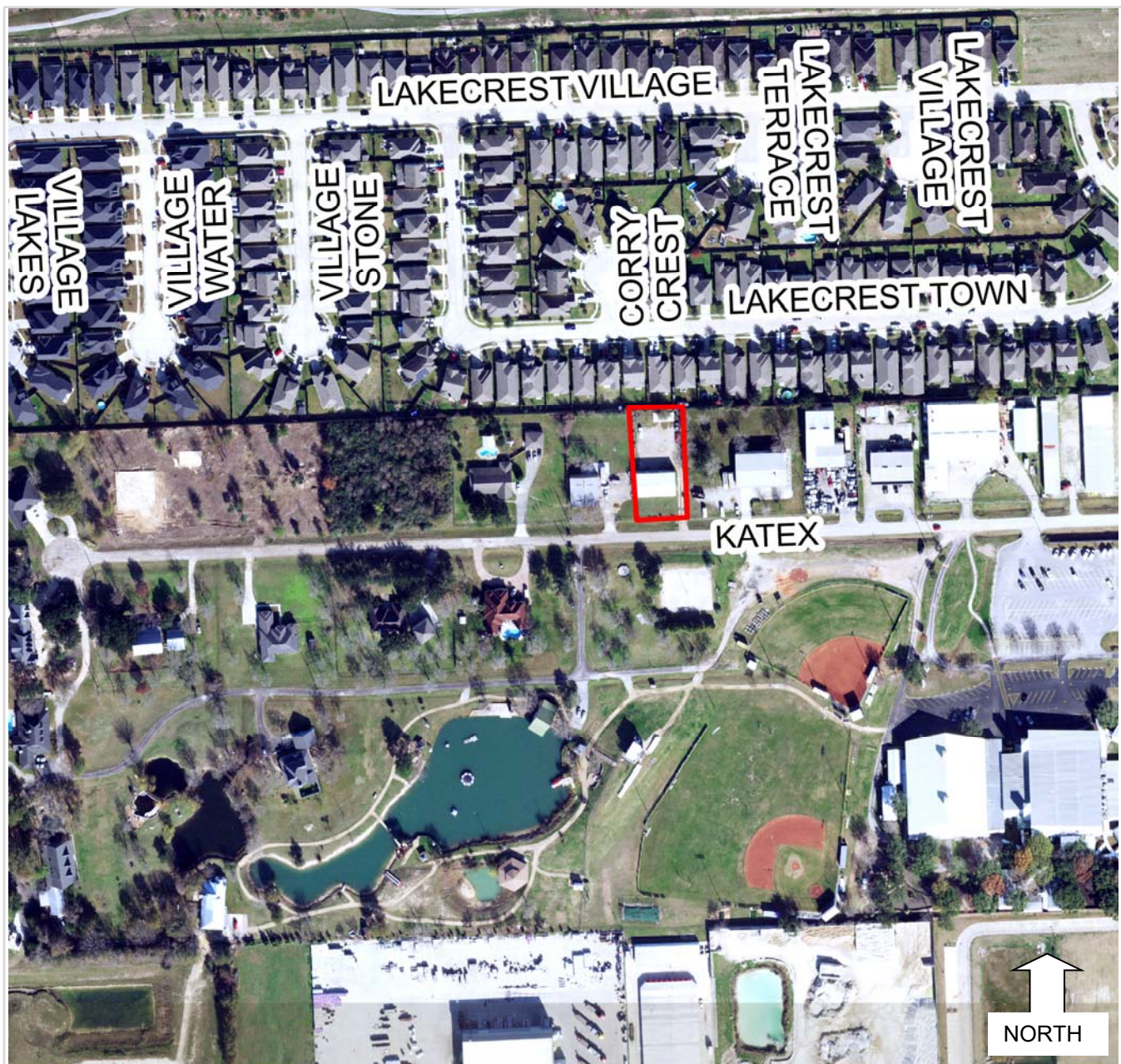
ITEM: 157

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Green Scapes

Applicant: West Belt Surveying, Inc.



D – Variances

Aerial



Application Number: 2021-2969

Plat Name: Green Scapes

Applicant: West Belt Surveying, Inc.

Date Submitted: 12/06/2021

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

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

Specific Variance is being sought and extent of variance:

Specific variance is being sought for an Unrestricted Reserve to take access from an access easement.

Chapter 42 Section: 190

Chapter 42 Reference:

Tracts for non-single-family use—Reserves. (a) A tract of land that is not restricted to single-family residential use shall not be designated on a subdivision plat as a lot, but shall be designated as a reserve and shall be subject to those provisions of this chapter pertaining to reserves. (b) A subdivision plat shall identify each reserve by alphabetical letter and shall show the total acreage of the reserve within the delineated reserve boundaries. The applicant may note on the plat the use intended for each reserve. The applicant shall identify a reserve tract for which it has not determined a use as an unrestricted reserve. (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:

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;

Green Scapes is located west of Houston in Harris County along the north side for Katex Boulevard. Katex Boulevard is a 60 wide easement for roadway and Right-of-Way purposes. In regard to the matter of granting an Unrestricted Reserve to take access from an access easement, please note the following: The reason for a platted Unrestricted Reserve is to install a septic tank to provide restrooms in the existing building on the property. Katex Boulevard is an existing road that benefits and allows access for the property owners along Katex Boulevard of the unrecorded subdivision. Katex Boulevard is the point of access for the property owners along the said existing road from Porter Road. Granting an Unrestricted Reserve to take access from an access easement will not increase or impede the existing flow of traffic and will not compromise the safety and health of the public.

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

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

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

The intent and general purpose of Chapter 42 will be preserved and maintained, the grant of access to an access easement from an Unrestricted Reserve does not change the intent and general purpose of Chapter 42.

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

The granting of the variance will not be injurious to the public health, safety or welfare. The grant of access to an access easement for an Unrestricted Reserve will in any way not compromise public health or safety.

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

Justification of the variance is based on existing conditions of the subject tract.

Houston Planning Commission

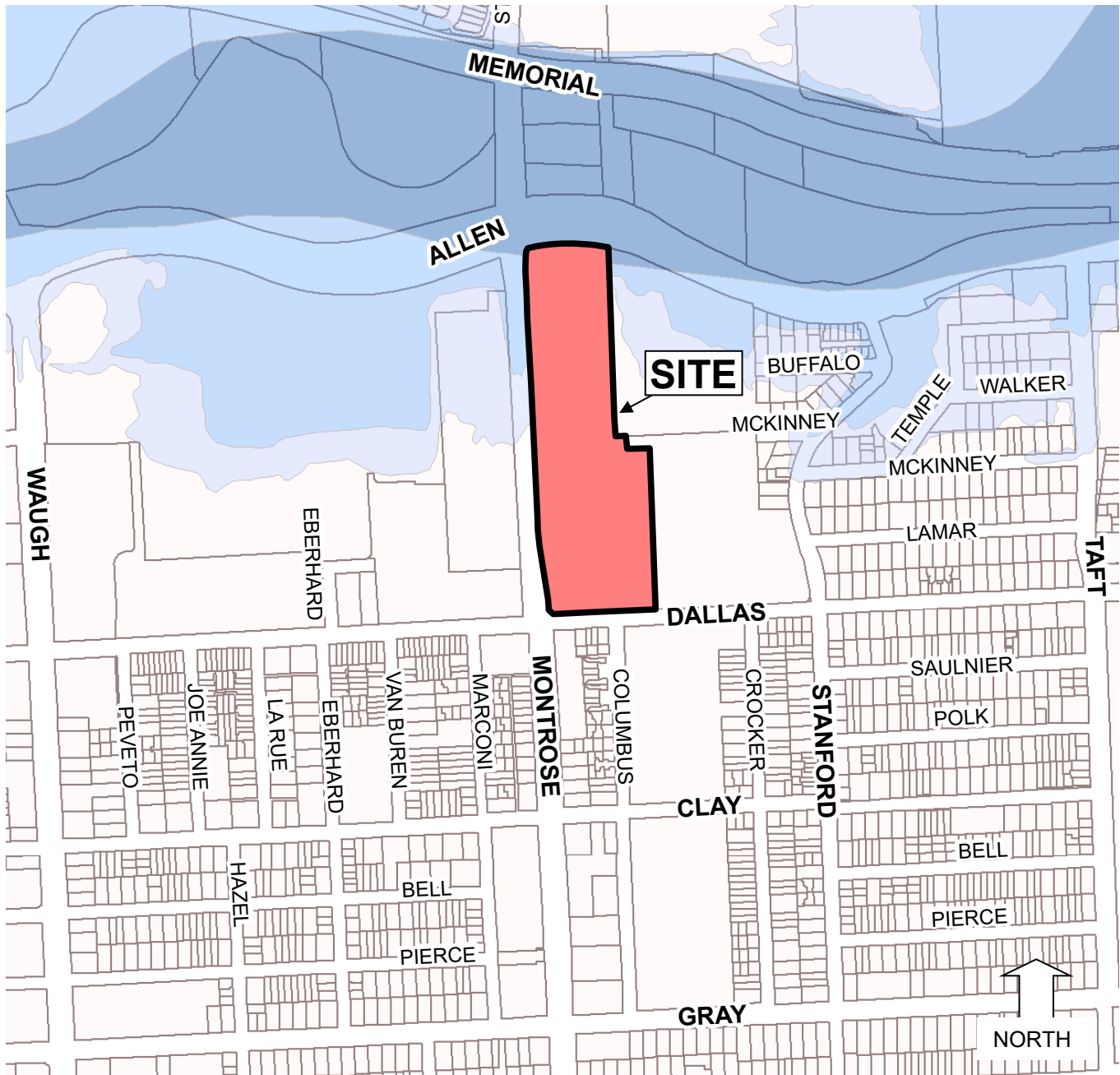
ITEM: 158

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Ismaili Center Houston

Applicant: Windrose



D – Variances

Site Location

Houston Planning Commission

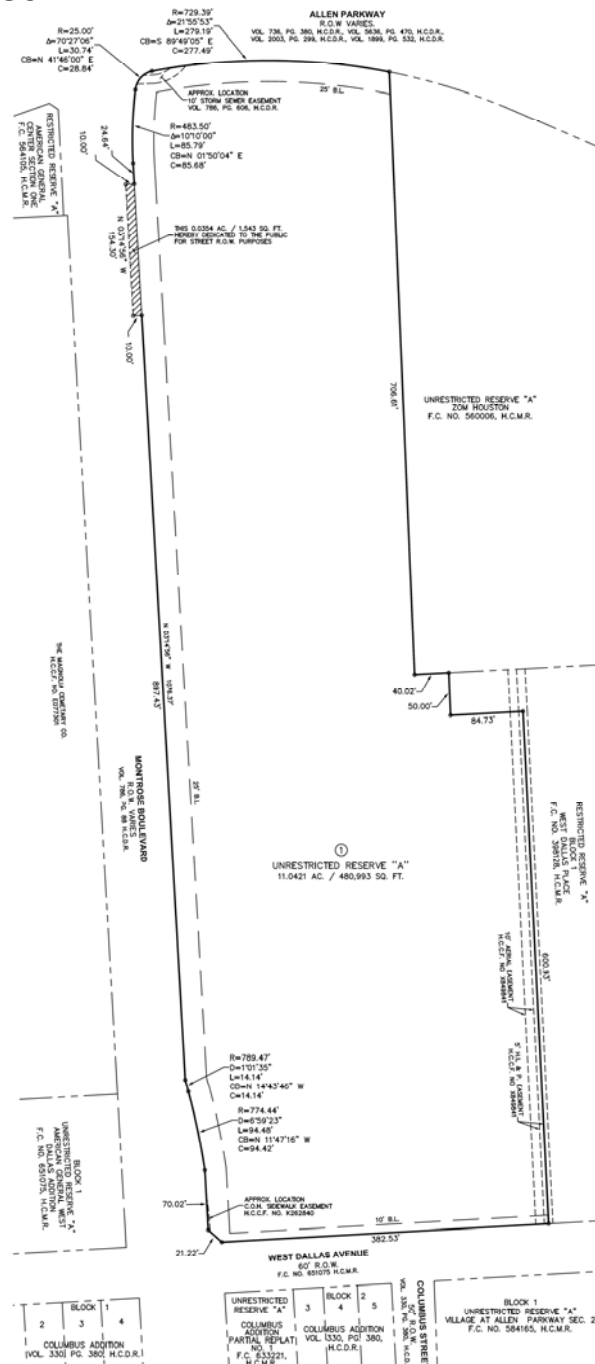
ITEM: 158

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Ismaili Center Houston

Applicant: Windrose



D – Variances

Subdivision

Houston Planning Commission

ITEM: 158

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Ismaili Center Houston

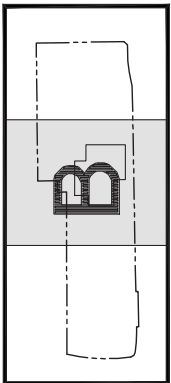
Applicant: Windrose



D – Variances

Aerial





**Know what's below.
Call before you dig.**

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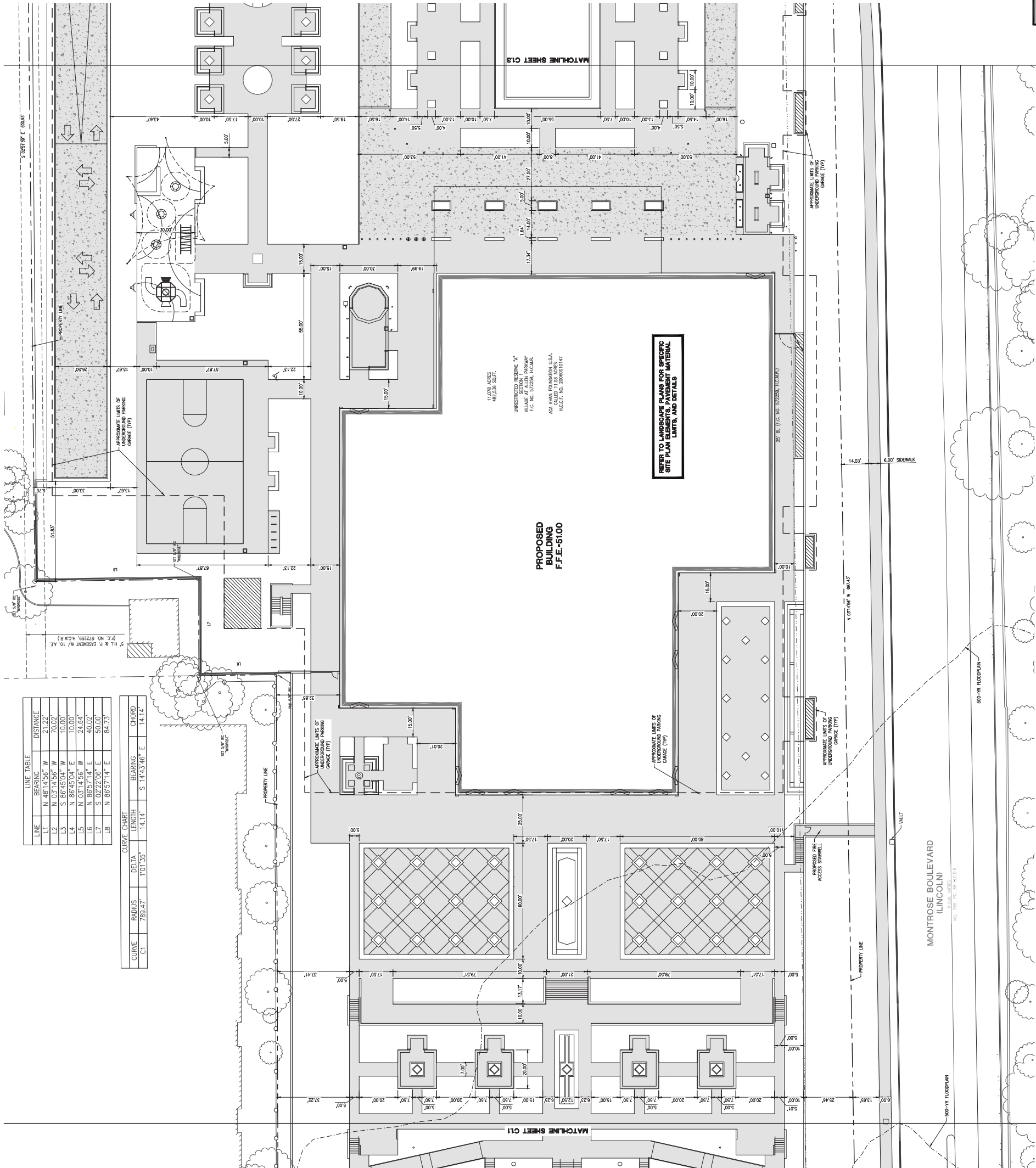
SITE PLAN NOTES:

- [illegible]

LEGEND - NEW IMPROVEMENTS

- | | | | |
|---|---|---|---|
|  |  |  |  |
| PROPOSED PEDESTRIAN PAVEMENT
(RE: LANDSCAPE FOR MATERIAL SCHEDULE) | PROPOSED DRIVEWAY PAVEMENT
(RE: LANDSCAPE FOR MATERIAL SCHEDULE) | BUILDING | CURB & GUTTER |

A horizontal scale bar labeled "SCALE IN FEET" with markings at 0, 20, 40, and 60 feet.



REFER TO LANDSCAPE PLANS FOR SPECIFIC
SITE PLAN ELEMENTS, PAVEMENT MATERIAL
LIMITS, AND DETAILS



Application Number: 2021-2783

Plat Name: Ismaili Center Houston

Applicant: Windrose

Date Submitted: 11/22/2021

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 include a 10-foot masonry wall in lieu of an 8-foot tall masonry wall along the north and west sides of the site.

Chapter 42 Section: 152 & 155

Chapter 42 Reference:

Sec. 42-155. - Collector and local streets—Uses other than single-family residential. Sec. 42-152. - Building line requirement along major thoroughfares. (a) The portion of a lot or tract that is adjacent to a major thoroughfare shall have a building line requirement of 25 feet unless otherwise authorized by this chapter. 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

na

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

The subject property is located at the southeast corner of Allen Parkway and Montrose Boulevard just south of Buffalo Bayou. The applicant is platting the property to facilitate the development of the Ismaili Center of Houston (the "Center"). The Ismaili Muslims are a culturally diverse community that focuses on searching for knowledge for the betterment of self and society. The Ismaili's focus on facilitating peace and understanding and they encourage their members to generously share their time, talents, and resources to improve the quality of life of the community. The Center will join a network of prestigious yet unique sister sites located in London, Lisbon, Dubai, Dushanbe (Tajikistan), Vancouver and Toronto. The Center's design is intended to provide a beautiful and peaceful environment for people of all faiths and cultures to come together for prayer, spiritual search, and contemplation. This property was originally platted as the Village at Allen Parkway Sec 1 in 2004. There was an existing structure that encroached into what would have been right-of-way dedication along Montrose Boulevard that received a building line variance. The condition of the variance was that appropriate right-of-way dedication occur when the existing structure was demolished and a follow-on development plat filed. The previously encroaching building has been demolished and this replat will facilitate the right-of-way dedication. While no building line variances are required this time around, the applicant is applying for a variance to Section 42-22 of the City's Code of Ordinances to allow a 10-foot masonry wall along the north property line and a portion of the northwest property line in lieu of the code-allowed 8-foot masonry walls. The justifications for the variance are unusual physical characteristics that affect the site and development considerations that would make the proposed use less viable for the community. Because of the topography of the property, an increased wall height is required in certain areas to mitigate road noise from cascading into the main outdoor gathering area. Higher walls will also provide adequate privacy for visitors. The wall along Montrose would drop back down to 8 feet starting at the northernmost edge of the main building and going southward towards W Dallas Street. Without the variance, the main courtyard and

gathering area at the north end of the Center would be dramatically impacted by road noise coming from Allen Parkway and Montrose Boulevard. Further, the shorter walls in combination with the elevated height of the courtyard would result in an exposed viewshed and diminish the sense of peace and tranquility that is essential to the mission of the Center.

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

The applicant is requesting a wall height variance to better protect their new faith-based Center from the negative impacts of adjacent thoroughfares. These streets obviously predate the applicant's land purchase and the potential impacts are neither self-imposed nor easily mitigated without the requested variance. The site's topography makes the alternative solution troublesome as lowering the north end of the campus would require significant excavation. This type of earth work and the associated storm water design challenges make this option infeasible given the need to maintain on-site elevation due to the proximity to Buffalo Bayou.

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

The City's development regulations ensure that growth occurs in an orderly, safe, and compatible fashion. Granting the plat and requested variance will help the applicant develop a more viable and impactful faith-based facility, which in turn will be more beneficial to the general public. The Center is projected to be a world-class architectural and cultural asset to the Houston-area. The increased wall height would ensure that the Center's main outdoor gathering area is buffered from road noise and the privacy of the Center's visitors is preserved as much as possible. The proposed plat will also be the mechanism for needed right-of-way dedication along Montrose Boulevard.

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

Taller walls are a very common and effective mechanism used along larger roadways to mitigate road noise and protect the privacy of the more vulnerable property. Given that the Center's grounds will be a regional gathering place for prayer and outdoor fellowship, it is in the public's best interests to do everything possible to preserve the peace and tranquility of the property. The applicant is only asking for special consideration where needed, noting that other wall sections not along the north and northwestern property lines will adhere to the 8-foot wall height limitation. Without the variance, the facility's main gathering area will be subject to worse road noise and exposure to onlookers that may want to harass or otherwise intrude on the peace and harmony of the Center's visitors.

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

Economic hardship is not the justification for the variance. The applicant is requesting taller walls in key areas to better protect their facility from the negative impacts of adjacent thoroughfares. The site's topography makes lowering the north end of the campus unfeasible and contrary to the public's interests, especially given the proximity to Buffalo Bayou. By granting the variance, the City can help mitigate the challenges that impact the site while helping to establish a unique, diverse, and invaluable addition to the faith-based community.



CITY OF HOUSTON

Planning and Development

Sylvester Turner

Mayor

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

T. 832.393.6600
F. 832.393.6662
www.houstontx.gov

December 9, 2021

NOTICE OF VARIANCE

PROJECT NAME: Ismaili Center Houston

REFERENCE NUMBER: 2021-2783

VAR

Dear Property Owner:

The Planning and Development Department has received a subdivision plat application with a variance request for a property located south Allen Parkway, north of W Dallas Street and east of Montrose Boulevard. 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 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 10' masonry wall in lieu of an 8' tall masonry wall along the north and west sides of the property. Enclosed are copies of the variance request, the proposed subdivision plat and 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. A sign with this information has also been posted on the project site. The Houston Planning Commission will hold a public meeting to consider this application.

PLANNING COMMISSION MEETING INFORMATION:

Thursday, December 16, 2021, beginning at 2:30 p.m.

City Hall Annex Building, 900 Bagby Street

City Council Chamber, Public Level, Houston, Texas

Members of the public may make comments or express concerns about the proposed project by either attending the meeting at City Council Chamber listed above or attending the meeting via Microsoft Teams at the time listed above. The Microsoft Teams meeting will allow for a two-way video/ audio communication with the Houston Planning Commission. **For instruction on how to join the Microsoft Teams meeting, interested persons are advised to check our website 72 hours prior to the Planning Commission meeting:** www.houstonplanning.com or Call: 832-393-6624.

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. 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.

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For additional information regarding this project, please call **Lisa Dobrowski with Windrose at 713-458-2281**. You may also contact Aracely Rodriguez 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.

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TERMINOLOGY

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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

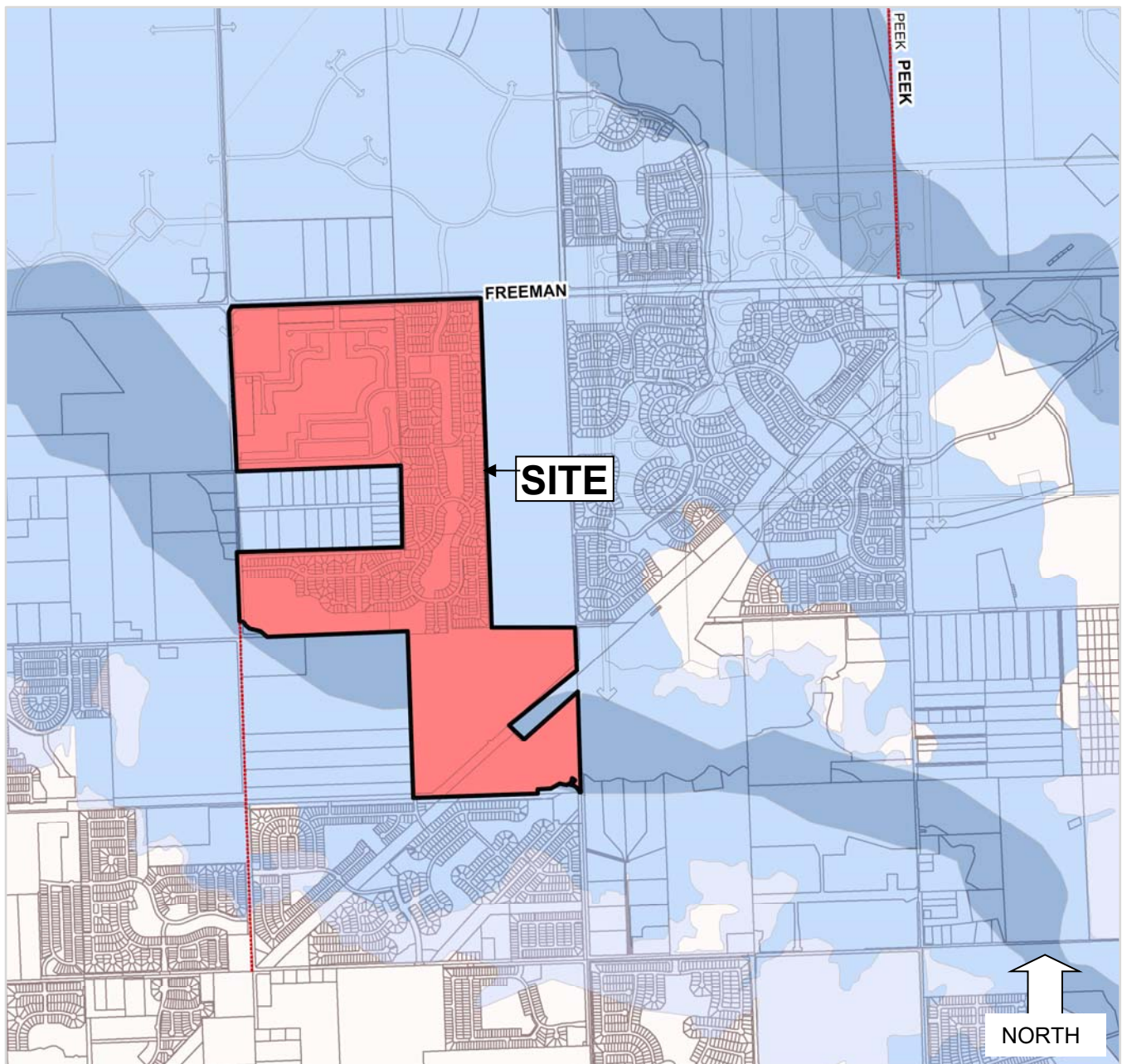
ITEM: 159

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Katy Lakes GP (DEF 2)

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



D – Variances

Site Location

Houston Planning Commission

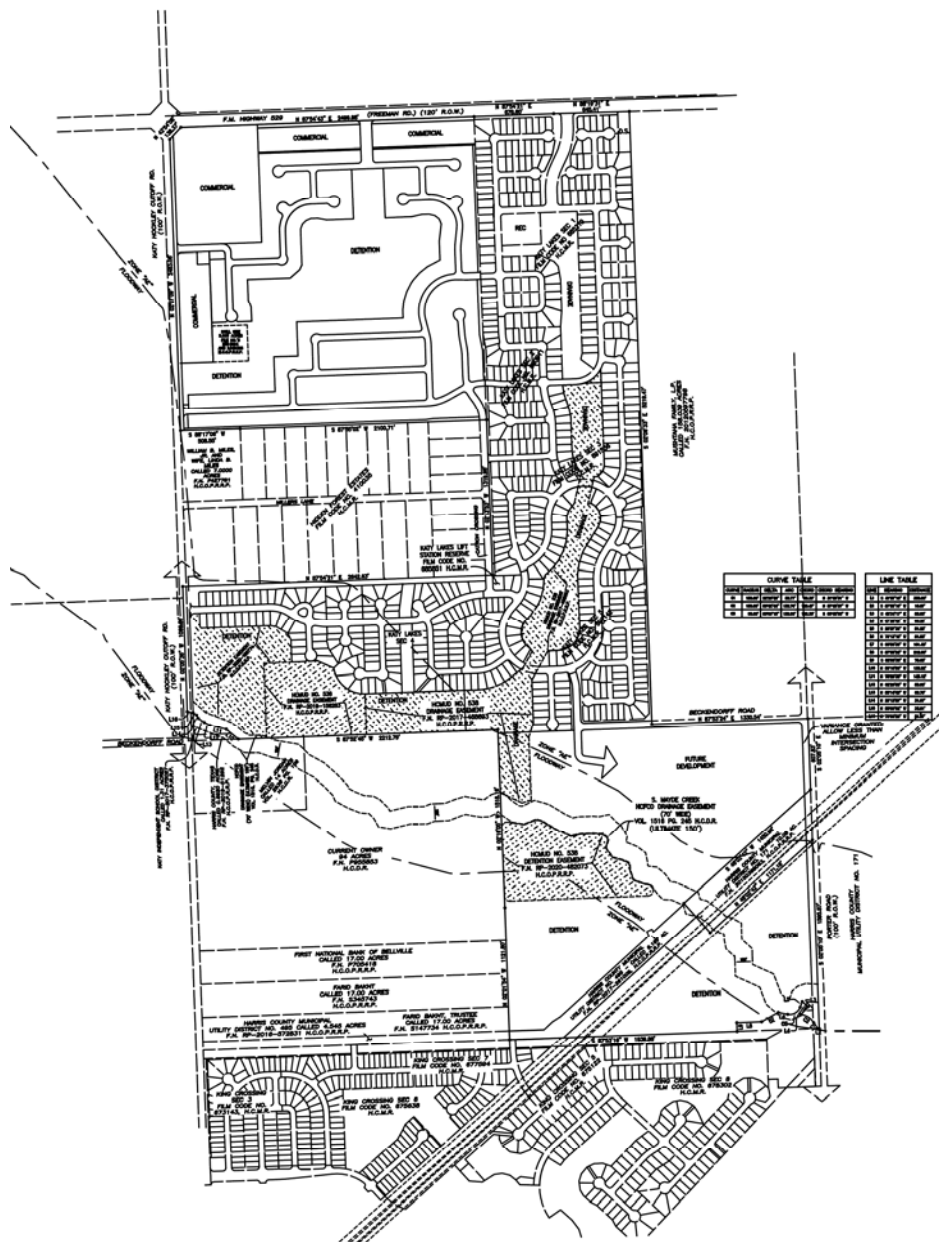
ITEM: 159

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Katy Lakes GP (DEF 2)

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



Houston Planning Commission

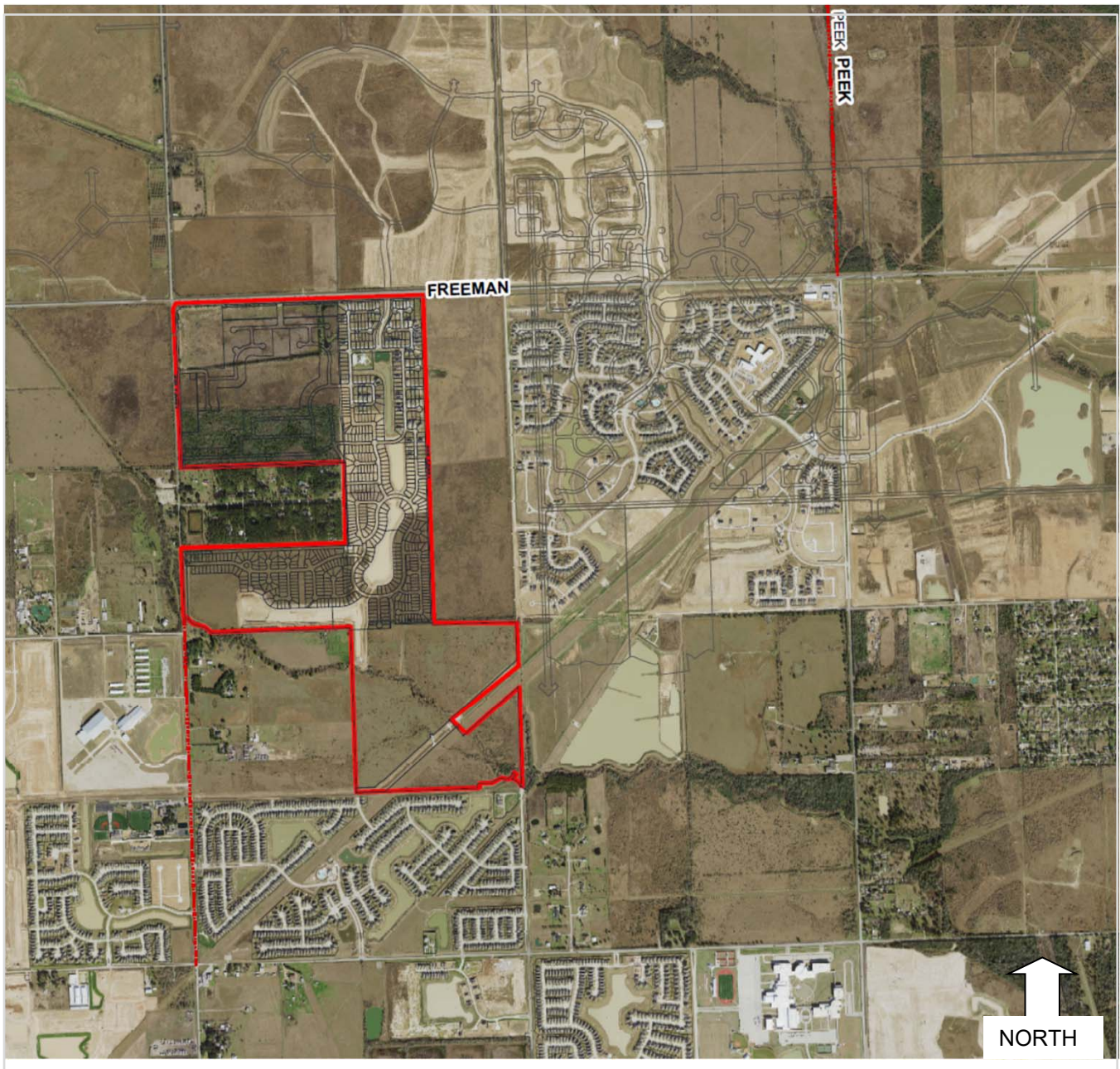
ITEM: 159

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Katy Lakes GP (DEF 2)

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



D – Variances

Aerial



Application Number: 2021-2599

Plat Name: Katy Lakes GP

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

Date Submitted: 11/01/2021

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

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

Specific Variance is being sought and extent of variance:

To exceed 1,400' intersection spacing by not providing a north-south and east-west public street across a proposed detention pond in the proposed Katy Lakes GP.

Chapter 42 Section: 128

Chapter 42 Reference:

Sec. 42-128. Intersections of local streets. (b) Each local street shall intersect with a street that meets the requirements of subsection (b) at least every 1,400 feet.

Statement of Facts

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

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

The Katy Lakes General Plan is a 540 acre development located in Harris County, in the Houston ETJ. A residential and commercial development is proposed in the northwest part of the development. This is bordered by F.M. 529 to the north, Katy Hockley Cutoff Road to the west, Katy Lakes Section 1 (Film Code No. 685210 H.C.M.R.) and section 2 to the east, and Hidden Forest Estates (Film Code No. 410035 H.C.M.R.) to the south. Katy Lakes is proposing commercial development fronting on F.M. 529 and Katy Hockley Cutoff Road. Both roads are major thoroughfares, with connecting streets into Katy Lakes providing access to the interior residential development. The proposed development is meeting intersection spacing along F.M. 529 by providing a proposed 100 foot R.O.W. entrance connection for better traffic circulation. The development exceeds intersection spacing by providing two proposed streets along Katy Hockley Cutoff Road which will allow for improved circulation. Providing streets across the detention pond to meet intersection spacing would be impractical since this is the most beneficial location for the detention. Currently, rainfall sheet-flows southward from F.M. 529, and the proposed detention pond would mitigate this flow. This would be a benefit for not only Katy Lakes but the surrounding area as flooding is a tremendous concern. The current street pattern will allow for the best means of ingress and egress to F.M. 529 and Katy Hockley Cutoff Road for this part of the development. Traffic circulation internally will be efficiently met through this street pattern as well. Therefore, requiring street crossings across this detention would create an impractical development that is contrary to sound public policy.

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

The circumstances supporting the granting of the variance are based on the existing physical characteristics of the property. This allows for the best location of the detention pond to help mitigate drainage for the development and surrounding areas. By granting the variance, the property will be able to develop a street pattern that will provide efficient circulation, reduce drainage problems and be a benefit to the local area. This not a hardship created or imposed by the applicant.

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

By granting the variance, the purpose of this chapter will be preserved and maintained by allowing a detention pond to efficiently mitigate drainage while providing an efficient street layout. A north-south, and east-west street through the detention area, would severely impact the intent to provide an efficient residential development. Approval of the variance would preserve and maintain the intent and general purpose of this chapter.

(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 as this would inhibit the ability of the development to effectively mitigate detention/drainage for the subdivision. The residential development will have many options for traffic circulation and the commercial development will have direct access on the major thoroughfares. A north-south, and east-west street through the detention area, would severely impact the intent to provide an efficient residential development.

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

The justification for granting the variance is based on the existing physical characteristics and location of the proposed detention pond. The intent is to create a subdivision that exceeds drainage requirements and provides beneficial traffic circulation. Economic hardship is not the sole justification of the variance.



Application Number: 2021-2599

Plat Name: Katy Lakes GP

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

Date Submitted: 11/01/2021

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

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

Specific Variance is being sought and extent of variance:

To exceed 1,400' intersection spacing by not providing a north-south public street between Katy Hockley Cut Off Road and Catron Crossing Road.

Chapter 42 Section: 128

Chapter 42 Reference:

Sec. 42-128. Intersections of local streets. (b) Each local street shall intersect with a street that meets the requirements of subsection (b) at least every 1,400 feet.

Statement of Facts

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

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

The Katy Lakes General Plan is a 540 acre development located in the Houston ETJ, Harris County. There is an existing single family residential development recorded as Hidden Forest Estates (Film Code No. 410035 H.C.M.R.) that is adjacent and north of a middle portion of the GP that extends westward to Katy Hockley Cutoff Road. Hidden Forest Estates was platted with public street access to Katy Hockley Cutoff Road via Millers Lane and Catron Crossing. All of the lots adjacent to the proposed GP are improved and it is unlikely that a street would ever be extended through the existing Hidden Forest Estates: thus the provision of a street stub would be impractical and contrary to sound public policy. A dead-end stub street would be an intrusion upon the existing, Hidden Forest Estates and, therefore, a hardship for those affected property owners. The proposed street pattern of the Katy Lakes development includes an extension of Catron Crossing to eventually extend into the Katy Lakes development with access to Beckendorf Road. Currently, there's a constructed pond in multiple drainage easements (F.N. RP-2017-468693 & F.N. RP-2020-189774 H.C.O.P.R.R.P) to the south that would prohibit a north-south intersection and would be impractical and contrary to sound public policy. Another drainage easement extending westward to Katy Hockley Cutoff Road has also been recorded. Additionally, the recorded drainage easements were created to mitigate drainage problems and reduce flood risks associated with the unique hydrologic conditions in upper Cypress Creek. A recorded S. Mayde Creek HCFCD Drainage Easement (Vol. 1516 Pg. 245). Located on the subject tract and extending to through the acreage tract to the south, will be widened to have an ultimate 150' width which will make a further street extension to the south infeasible and not of sound public policy.

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

The circumstances supporting the granting of the variance are based on the existing physical characteristics that affect this property, namely the existing high end single family development Hidden Forest Estates planned and recorded in 1998. Additionally, the recorded detention easement was created to mitigate drainage problems and reduce flood risks associated with the unique hydrologic conditions in upper Cypress Creek. By granting the variance, the property will be

able to develop a street pattern that will provide efficient circulation, reduce drainage problems and be a benefit to the local area. This not a hardship created or imposed by the applicant.

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

By granting the variance, the purpose of this chapter will be preserved and maintained by providing the ability to capture, detain and delay storm drainage into S. Mayde Creek and to proposed detention areas which will preserve and maintain the intent and general purpose of this chapter. A north-south street within this area would severely impact the intent to address the unique drainage throughout the development. Approval of the variance would preserve and maintain the intent and general purpose of this chapter.

(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 as there is sufficient circulation through the subdivision. The GP is divided into two areas encompassing the northern portion which is predominately residential and the southern portion which addresses the unique drainage of the area. This is designed to best utilize the existing creeks and drainage features such as the South Mayde Creek Floodway. The residential areas will have many options for circulation to and from the major thoroughfares surrounding the development. Providing a north-south street will not benefit the proposed, or the future adjacent subdivision, since circulation will be met and all points of access will be provided.

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

The justification for granting the variance is based on the existing physical characteristics. The intent is to create a subdivision that exceeds drainage requirements and provides beneficial circulation.

Houston Planning Commission

ITEM: 160

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Ly Liquor on Navigation (DEF 2)

Applicant: CSF Consulting LP



D – Variances

Site Location

Houston Planning Commission

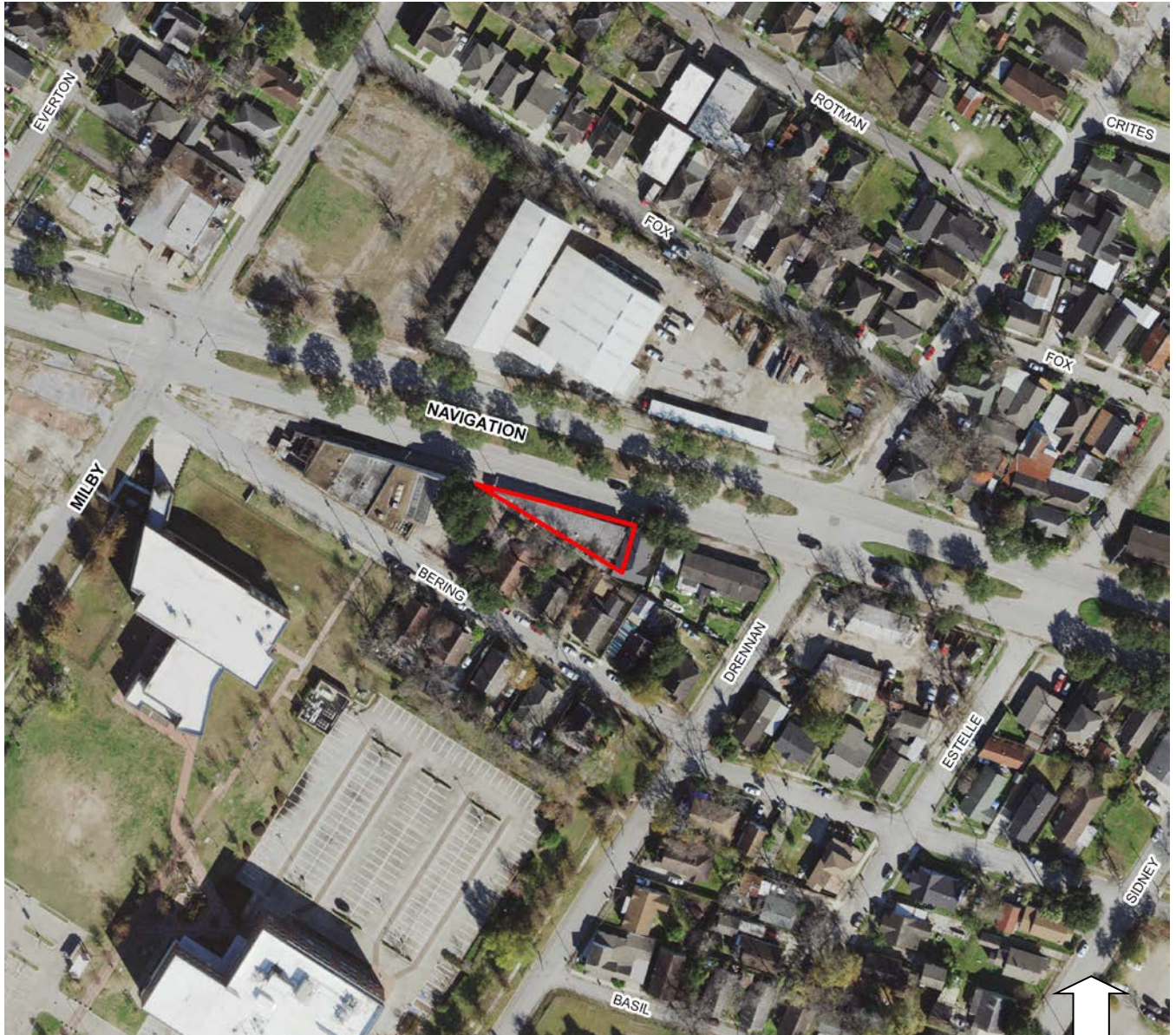
ITEM: 160

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Ly Liquor on Navigation (DEF 2)

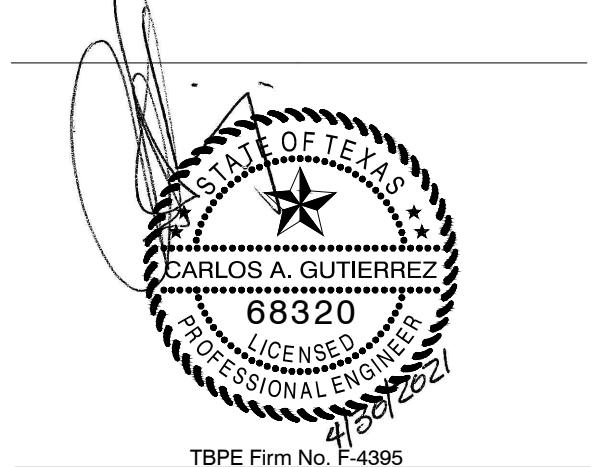
Applicant: CSF Consulting LP



NORTH

D – Variances

Aerial



TBPE Firm No. F-4395
Civil CONSULTANT:
CSF Consulting, LP
11301 Fallbrook Dr., Suite 320
Houston, TX 77065
832.678.2100
csfconsultinglp.com

Structural CONSULTANT:
DLD Engineering
3302 Canal St. #36
Houston, TX 77003
832.422.9350
www.DLDENG-LLC.COM

MEP CONSULTANT:
GK Engineers, LLC
Texas-Reg #F-18854
5959 W Loop South, Ste. 385
Bellaire, TX 77401
713.988.8894

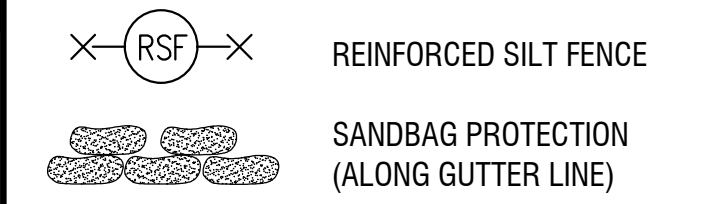
STORM SEWER

- CONTRACTOR SHALL MAINTAIN A MINIMUM OF 12" VERTICAL CLEARANCE BETWEEN STORM SEWER AND OTHER EXISTING OR NEW UTILITIES PIPING.
- 6-INCH TO 12-INCH STORM SEWER SHALL BE PVC SDR-35 PER ASTM 3034. PVC JOINTS SHALL BE PUSH ON, FLEXIBLE ELASTOMERIC GASKET CONFORMING TO ASTM D-3212.
- STORM SEWER PIPES 18-INCH AND LARGER SHALL BE HDPE POLYETHYLENE PIPE WITH A SMOOTH INTERIOR WALL. PIPE(S) SHALL BE INSTALLED PER MANUFACTURERS RECOMMENDATIONS UNLESS NOTED OTHERWISE.
- PIPE CROSSINGS OR PIPES INSTALLED IN STREET R.O.W. SHALL BE REINFORCED CONCRETE PIPE PER ASTM C-76, CLASS III. ALL SIZES OF CONCRETE PIPE SHALL BE INSTALLED WITH APPROVED RUBBER GASKET JOINTS PER ASTM.
- BACKFILL OF SEWER TRENCH TO BE COMPACTED TO 95% STANDARD PROCTOR DENSITY AT OPTIMUM MOISTURE IN 6" LIFTS. INSTALL PIPE FROM LOW END IN AN UPSTREAM DIRECTION.
- ALL GRATE INLETS SHALL HAVE TRAFFIC DUTY CAST-IRON GRATES TO MEET HS-20 LOADING.
- STORM SEWER BEDDING AND BACKFILL, ADJOINING INLETS AND MANHOLES SHALL BE CEMENT STABILIZED SAND IN ACCORDANCE WITH THE DETAILS.
- INLETS IN THE PAVED AREAS ARE TO BE PLACED ALIGNED WITH THE CENTERLINE OF DRIVING AISLES OR AS SHOWN ON CONSTRUCTION DOCUMENTS.
- CONTRACTOR TO FIELD VERIFY LOCATION & ELEVATION OF EXISTING UTILITY LINES PRIOR TO CONSTRUCTION.
- FIELD ADJUST ROOF DRAIN LINE CONNECTIONS AS NEEDED TO ENSURE POSITIVE DRAINAGE. MAINTAIN 18" COVER IN ALL YARD AREAS WITH ROOF DRAIN LINE CONNECTIONS.

GRADING

- CONTRACTOR SHALL CUT AND FILL SITE AS REQUIRED TO OBTAIN FINISHED ELEVATIONS SHOWN ON PLANS. COMPACT SELECTED BACKFILL TO 95% STANDARD PROCTOR DENSITY AS PER ASTM D-698.
- YARD AREAS, SIDEWALKS AND PAVEMENT SHALL BE GRADED TO DRAIN AWAY FROM THE BUILDING(S). FINISHED SURFACES IN ACCESSIBLE AREAS SHALL CONFORM TO THE REQUIREMENTS AMERICAN WITH DISABILITIES ACT AND TEXAS ACCESSIBILITY STANDARDS. ACCESSIBLE ROUTES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE ARCHITECTURAL DRAWINGS. ALL PAVING, SIDEWALKS AND RAMPS IN ACCESSIBLE AREAS SHALL COMPLY WITH THE REQUIREMENTS OF THE AMERICANS WITH DISABILITIES ACT, TEXAS ACCESSIBILITY STANDARDS AND THE THE FOLLOWING:
 - PARKING AND LOADING AREAS - MAXIMUM SLOPE OF 1:50 IN ALL DIRECTIONS IN ACCESSIBLE PARKING SPACES AND AISLES.
 - ACCESSIBLE ROUTES - MAXIMUM SLOPE OF 1:20 IN THE DIRECTION OF TRAVEL AND MAXIMUM CROSS SLOPE OF 1:50
 - BUILDING ENTRANCES AND EXITS - AT ALL LOCATIONS 5'X5' (MINIMUM) ACCESSIBLE. CONCRETE WALK WITH THE MAXIMUM SLOPE OF 1:50 IN ALL DIRECTIONS.
- CONTRACTOR SHALL GRADE THE SITE TO MATCH EXISTING GROUND AT THE LIMITS OF THE PROJECT SITE. ALL DRAINAGE ENTERING THE PROJECT AREA SHALL BE INTERCEPTED IN THE FINAL GRADE. TRANSITIONS TO EXISTING GROUND THAT ARE DIFFERENT FROM THE PLANS SHALL BE COORDINATED PRIOR TO FINAL GRADING.
- ALL AREAS WITHIN THE PROJECT SITE SHALL BE GRADED TO DRAIN TO ON-SITE STORM SEWERS.
- CONTRACTOR SHALL VERIFY ALL ELEVATIONS, DIMENSIONS AND CONDITIONS IN THE FIELD BEFORE COMMENCING ANY WORK. CONTRACTOR SHALL REPORT ANY CONFLICTS OR VARIATIONS AND RESOLVE ALL CHANGES WITH THE OWNER AND/OR ENGINEER PRIOR TO COMMENCING WORK.
- EXCAVATIONS MATERIAL SHALL BE DISPOSED OF PROPERLY.
- TOP OF WALK ELEVATIONS AT ALL DOORS (REF. PLAN)

SWPP LEGEND



LEGEND

FL = FLOW LINE
MAC=MATCH ADJOINING CONCRETE ELEVATION
MEP=MATCH EXIST. PAVEMENT ELEVATION
MEW=MATCH EXIST WALKWAY ELEVATION
TC = TOP OF CURB
TP = TOP OF PAVEMENT
TW = TOP OF WALK
DIRECTION OF FLOW (SLOPE)

KEYED SCHEDULE

- 6" CONC. PAVEMENT (REF. SHT. "C5.00" & "C5.10" DETAIL NO.7)
- 6" CONCRETE CURB (REF. SHT. "C5.10" DETAIL NO.6)
- EXIST/NEW JOINT (REF. SHT. "C5.10" DETAIL NO.1)
- 4" THK. REINFORCED CONC. SIDEWALK (REF. SHT. "C5.10" DETAIL NO.(S) 9, 10, 11 & 12) (REF. ARCH. FOR JOINT LAYOUT)
- PROP. ADA RAMP(S) (REF. DETAIL NO. 13, 14 , SHT. "C5.10")

NOTE

REFERENCE ARCH FOR DEMOLITION OF EXISTING FEATURES, INCLUDING BUT NOT LIMITED TO BUILDINGS/STRUCTURES, PAVING, WALKS, DRAINAGE PIPING, DRAINAGE INLETS ETC.

FLOODPLAIN INFORMATION

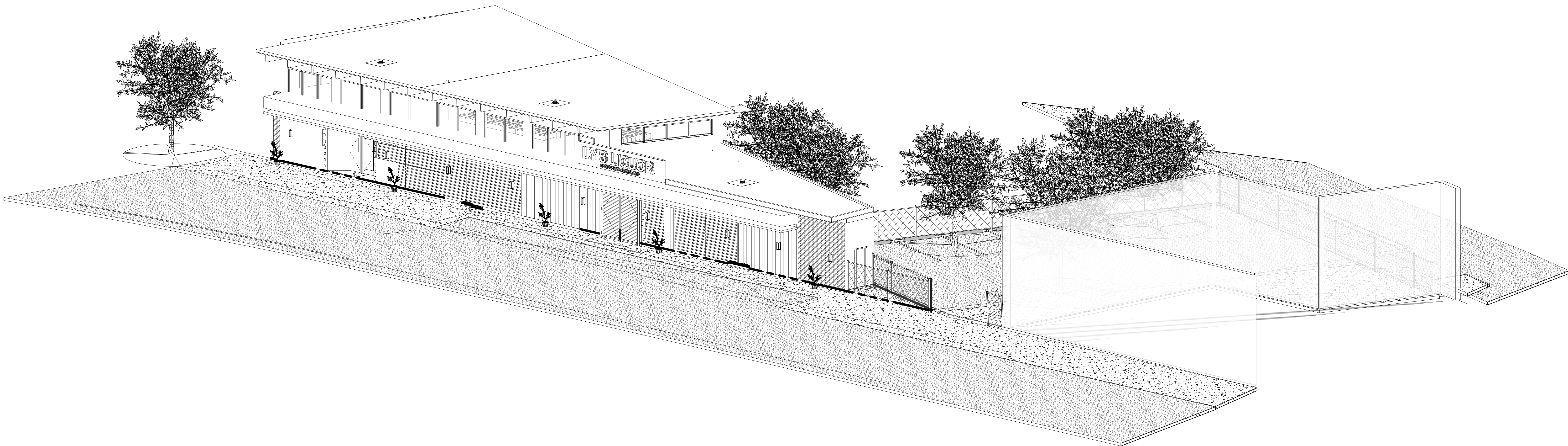
ACCORDING TO MAP NO. 48201C0690N OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAPS FOR HARRIS COUNTY, TEXAS AND INCORPORATED AREAS, DATED JANUARY 6, 2017, THE SUBJECT TRACT IS SITUATED WITHIN ZONE "X" DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN (500-YEAR FLOOD).

THE FEMA WEBSITE (www.msc.fema.gov) WAS CHECKED ON APRIL 14, 2021

THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.



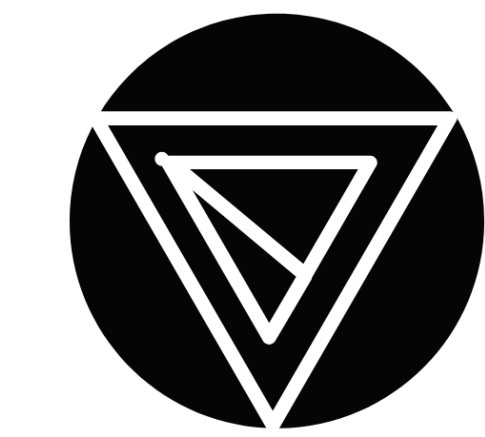
LY'S LIQUOR RENOVATION
3914 NAVIGATION BLVD
HOUSTON, TX 77003
STRUCTURAL SET



Sheet List	
Sheet Name	Sheet Number
COVER PAGE	S0.00
ABBREVIATIONS, INDEX	S0.01
GENERAL - GENERAL STRUCTURAL NOTES	S0.02
FOUNDATION - GENERAL STRUCTURAL NOTES	S0.10
CONCRETE - GENERAL STRUCTURAL NOTES	S0.20
CONCRETE - GENERAL STRUCTURAL NOTES	S0.21
STEEL - GENERAL STRUCTURAL NOTES	S0.30
WOOD - GENERAL STRUCTURAL NOTES	S0.40
MASONRY - GENERAL STRUCTURAL NOTES	S0.50
WIND LOAD - COMPONENTS & CLADDING	S0.60
SPECIAL INSPECTIONS	S0.70
SPECIAL INSPECTIONS	S0.71

Sheet List	
Sheet Name	Sheet Number
OVERALL 3D VIEWS	S0.80
EXISTING & DEMO FLOOR PLAN	S0.90
OVERALL SITE PLAN	S1.00
FOUNDATION PLAN	S1.01
LOW ROOF/ 2ND FLOOR FRAMING PLAN	S2.01
ROOF FRAMING PLAN	S3.01
SHEARWALL PLAN	S4.01
FOUNDATION DETAILS	S100
CONCRETE STANDARDS	S101
TENDON SPACING, SCHEDULE, AND LEGEND	S102
FOUNDATION DETAILS AND SECTIONS	S110
FRAMING SCHEDULES	S400

Sheet List	
Sheet Name	Sheet Number
WOOD DETAILS AND SECTIONS	S410
WOOD DETAILS AND SECTIONS	S411
WOOD DETAILS AND SECTIONS	S412
WOOD DETAILS AND SECTIONS	S413
WOOD DETAILS AND SECTIONS	S414
ENLARGED WOOD SECTIONS	S415
TYPICAL FOUNDATION DETAILS	S500



DLD Engineering

STRUCTURAL
ENGINEERING
CONSULTING SERVICES

TEXAS REGISTERED
ENGINEERING FIRM
F-17306

O:832.422.9350
W:WWW.DLDENG-LLC.COM

ARCHITECT



LY'S LIQUOR RENOVATION
3914 NAVIGATION BLVD
HOUSTON, TX 77003



04/12/2021
TEXAS REGISTERED ENGINEERING
FIRM F-17306

THE INFORMATION DISCLOSED
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PROJECT: 012-1004.20.00
DRAWN BY: PM
CHECKED BY: SS
DRAWING SCALE: AS NOTED

REVISION	NO.	DESCRIPTION	DATE

DATE
2.1.2021

ISSUE
PERMIT SET

BUILDING TITLE
LY'S LIQUOR
RENOVATION

SHEET TITLE
COVER PAGE

SHEET NO.
S0.00



Application Number: 2021-2479
Plat Name: Ly Liquor on Navigation
Applicant: CSF Consulting LP
Date Submitted: 10/17/2021

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 commercial reserve with less than the required 5,000 Sq. Ft.

Chapter 42 Section: 42-190

Chapter 42 Reference:

Commercial reserves require no less than 5000 SF. SIZE

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;

Strict application of the requirements of this chapter would make our project infeasible because the existing property in question is 4,000 square feet which is 1,000 square feet less than the minimum requirement for a commercial lot. This property was purchased by the current owner in 1991 and the business occupying the existing building on the lot has been owned/operated by the same family since 1985. The current owner does not own adjacent lots to expand the property limits to meet the 5,000-sf minimum requirement. The project requiring the plat consists of remodeling the existing 3,785-sf structure that occupies the site. The city has no record of a recorded plat for this property. We received comments from the city upon review of the permit documents requiring a recorded plat to obtain approval for a building permit to remodel the existing structure. We proceeded accordingly but the plat was disapproved because the property does not meet the minimum 5,000 square foot property requirement.

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

The circumstances supporting the granting of the variance are not a result of a hardship created or imposed by the applicant. The lot in question is existing and is not being reduced or subdivided by the owner. The structure that exists on the property has occupied the property in its current state for several years. The owner did not create the current configuration or area of the property.

(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 other requirements of Chapter 42 for this property are preserved and maintained. The only exception is

the lot size due to area and limits of the existing property.

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

Granting of the variance will not be injurious to the public health, safety, or welfare. The proposed improvements to the property will be an improvement to the neighborhood. The owner of the property has been operating the same business on this property as it is currently configured since 1985. They have been a pillar of the second ward community with their involvement in the East End Chamber and the economic growth of the East End. The owner's goal is to upgrade/renovate their property to be a part of and contribute to the economic growth and development of the neighborhood.

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

Economic hardship is not the sole justification of the variance. The business on the property has been operating as a successful business for several years. The owner's proposed improvements will better serve the neighborhood and the surrounding community. They have strong roots in the neighborhood and have no plans to relocate or shut down.



CITY OF HOUSTON

Planning and Development

Sylvester Turner

Mayor

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

T. 832.393.6600
F. 832.393.6662
www.houstontx.gov

November 8, 2021

NOTICE OF VARIANCE

PROJECT NAME: Ly Liquor on Navigation
REFERENCE NUMBER: 2021-2479



Dear Property Owner:

The Planning and Development Department has received a subdivision plat application with a variance request for a property located south along Navigation Boulevard, east of North Milby 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.

CSF Consulting LP, the applicant, has filed the request on behalf of the developer of the subject site. The applicant is requesting a variance to allow a commercial reserve with less than the required 5,000 Square 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. A sign with this information has also been posted on the project site. The Houston Planning Commission will hold a public meeting to consider this application.

PLANNING COMMISSION MEETING INFORMATION:

Thursday, November 18, 2021, beginning at 2:30 p.m.
City Hall Annex Building, 900 Bagby Street
City Council Chamber, Public Level, Houston, Texas

Members of the public may make comments or express concerns about the proposed project by either attending the meeting at City Council Chamber listed above or attending the meeting via Microsoft Teams at the time listed above. The Microsoft Teams meeting will allow for a two-way video/ audio communication with the Houston Planning Commission.

For instruction on how to join the Microsoft Teams meeting, interested persons are advised to check our website 72 hours prior to the Planning Commission meeting: www.houstonplanning.com or Call: 832-393-6624.

Council Members: Amy Peck Tarsha Jackson Abbie Kamin Carolyn Evans-Shabazz Dave Martin Tiffany D. 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 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. 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 at least 24 hours in advance of the meeting to sign up to speak.

For additional information regarding this project, please call Rudy Sandoval, of CSF Consulting, LP, at 832-678-2110. You may also contact John Cedillo 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

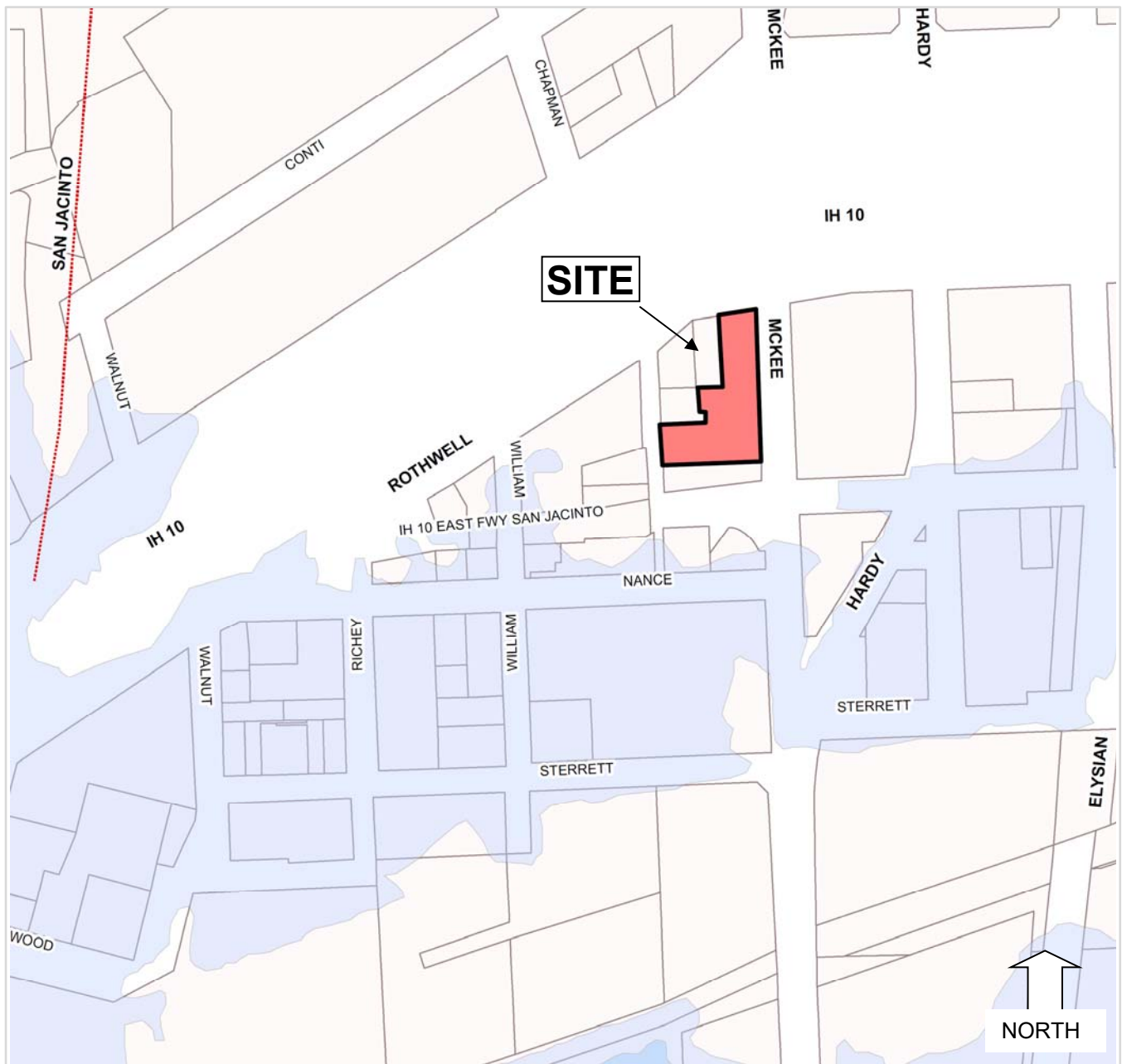
ITEM: 161

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Nine Thirteen McKee

Applicant: MBCO Engineering



D - Variances

Site Location

Houston Planning Commission

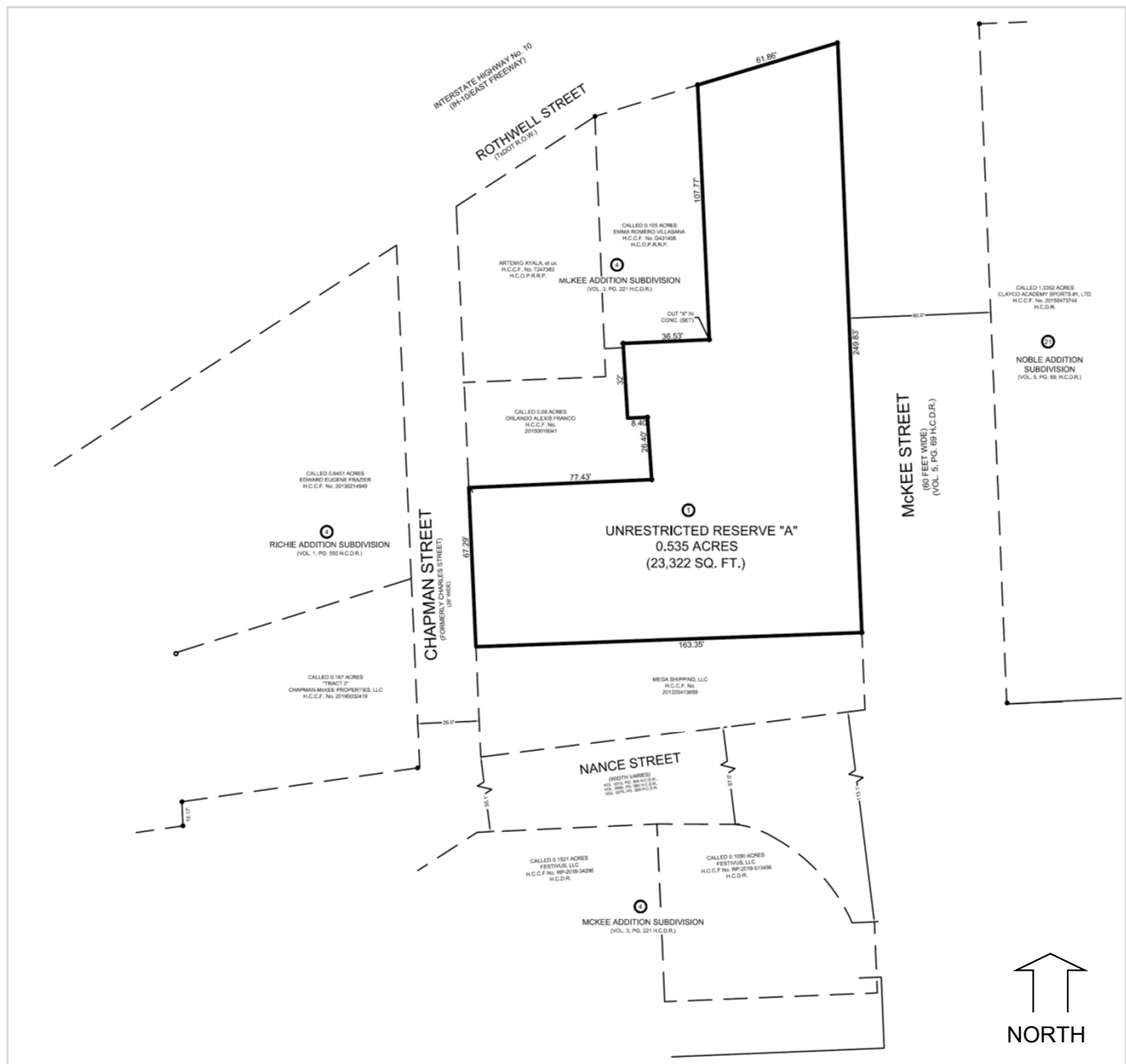
ITEM: 161

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Nine Thirteen McKee

Applicant: MBCO Engineering



D – Variances

Subdivision

Houston Planning Commission

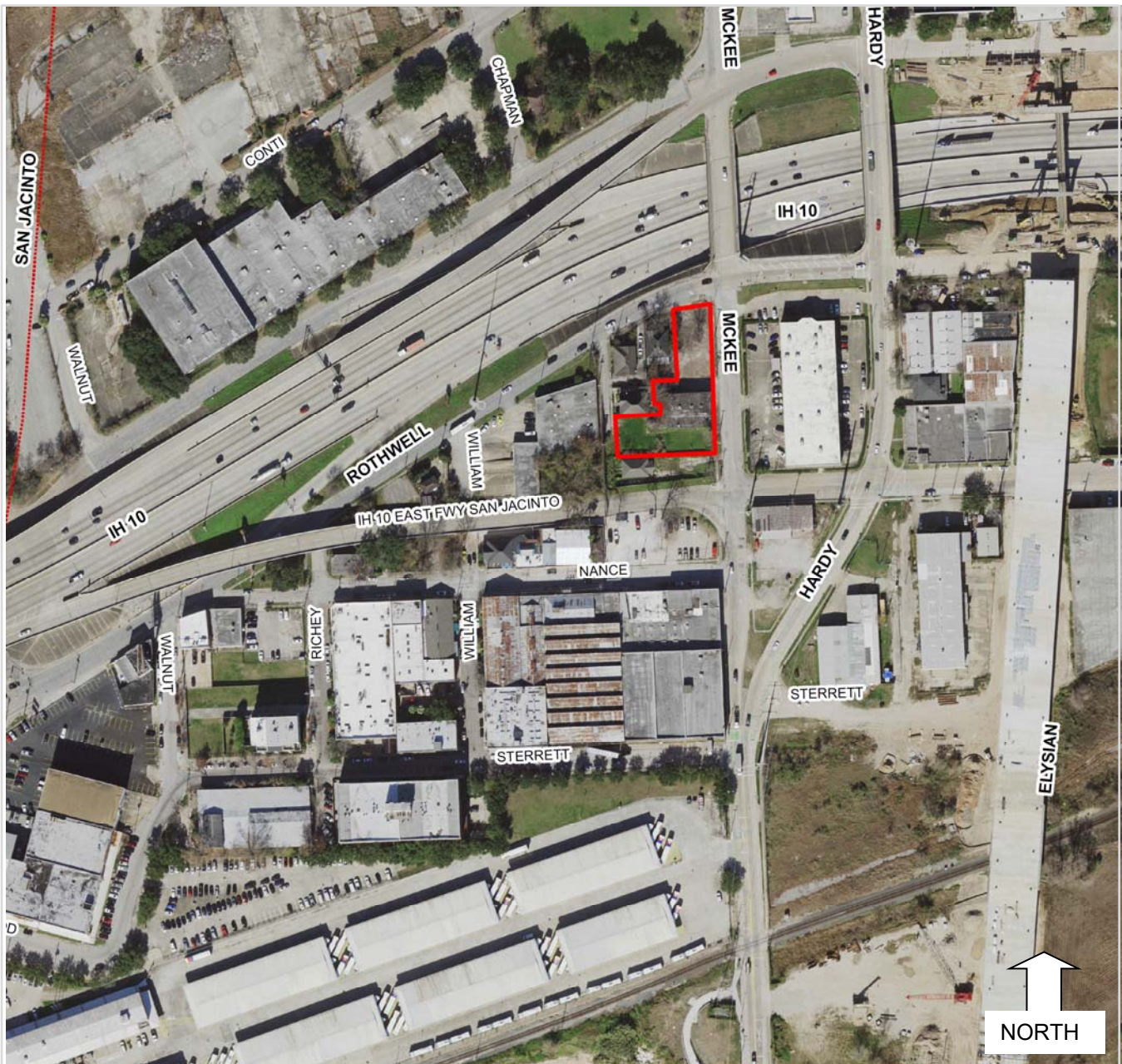
ITEM: 161

Planning and Development Department

Meeting Date: 12/16/2021

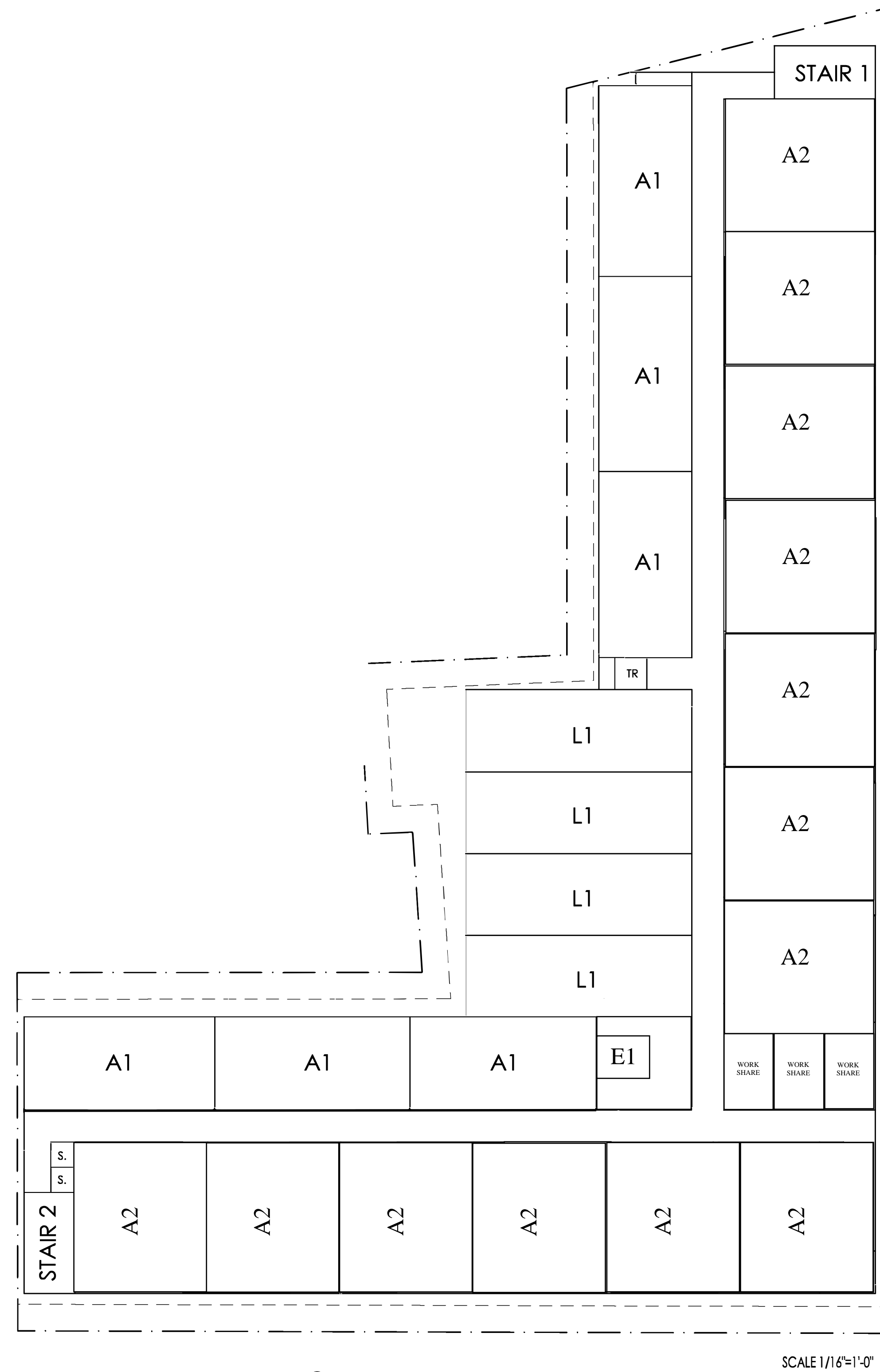
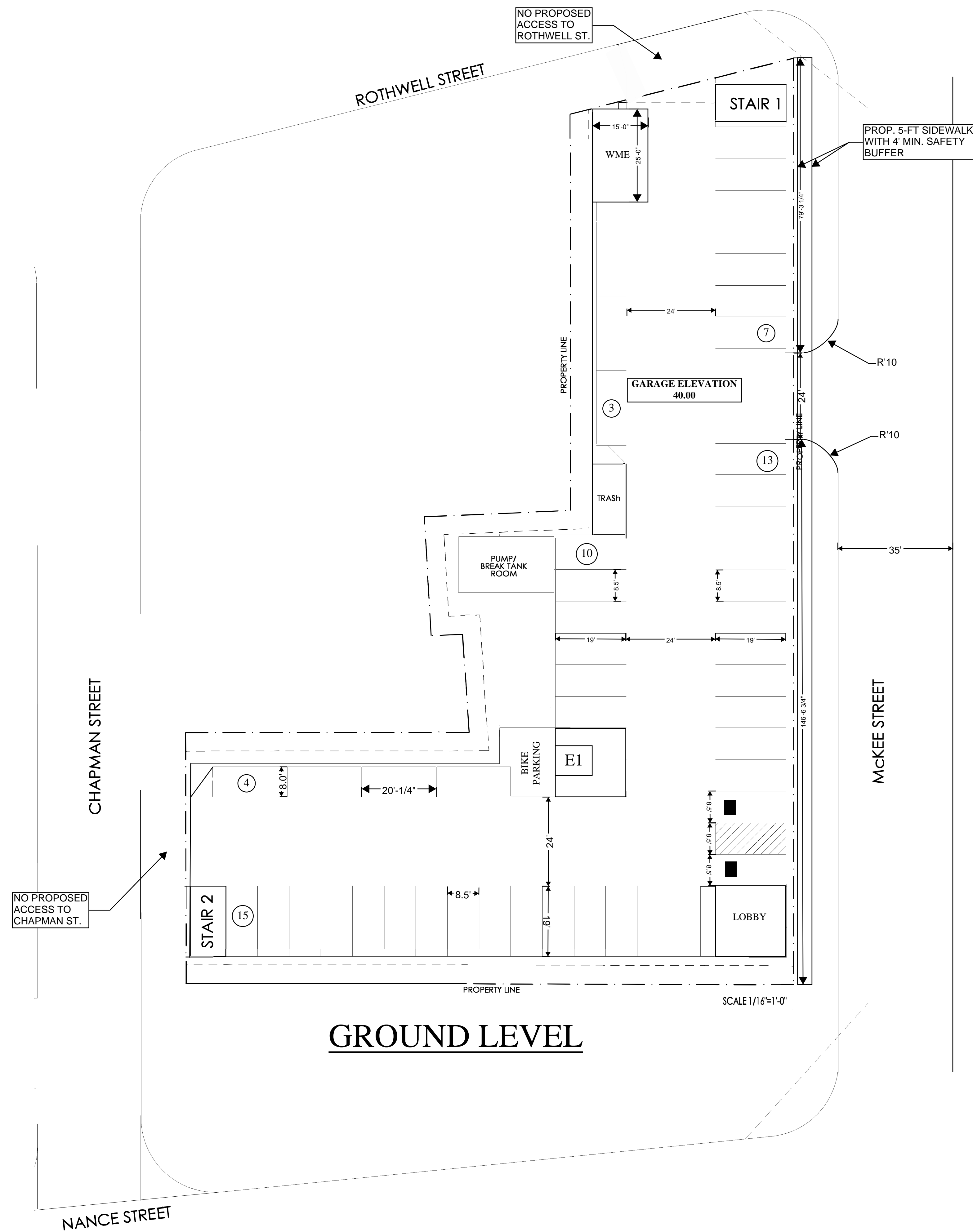
Subdivision Name: Nine Thirteen McKee

Applicant: MBCO Engineering



D – Variances

Aerial



UNIT TYPE	SQ. FT.	#	TOTAL SQ. FT.
L1	668	12	8,016
A1	612	18	11,016
A2	712	13	9,256
TH	1,424	12	17,088
TOTAL		55	45,376

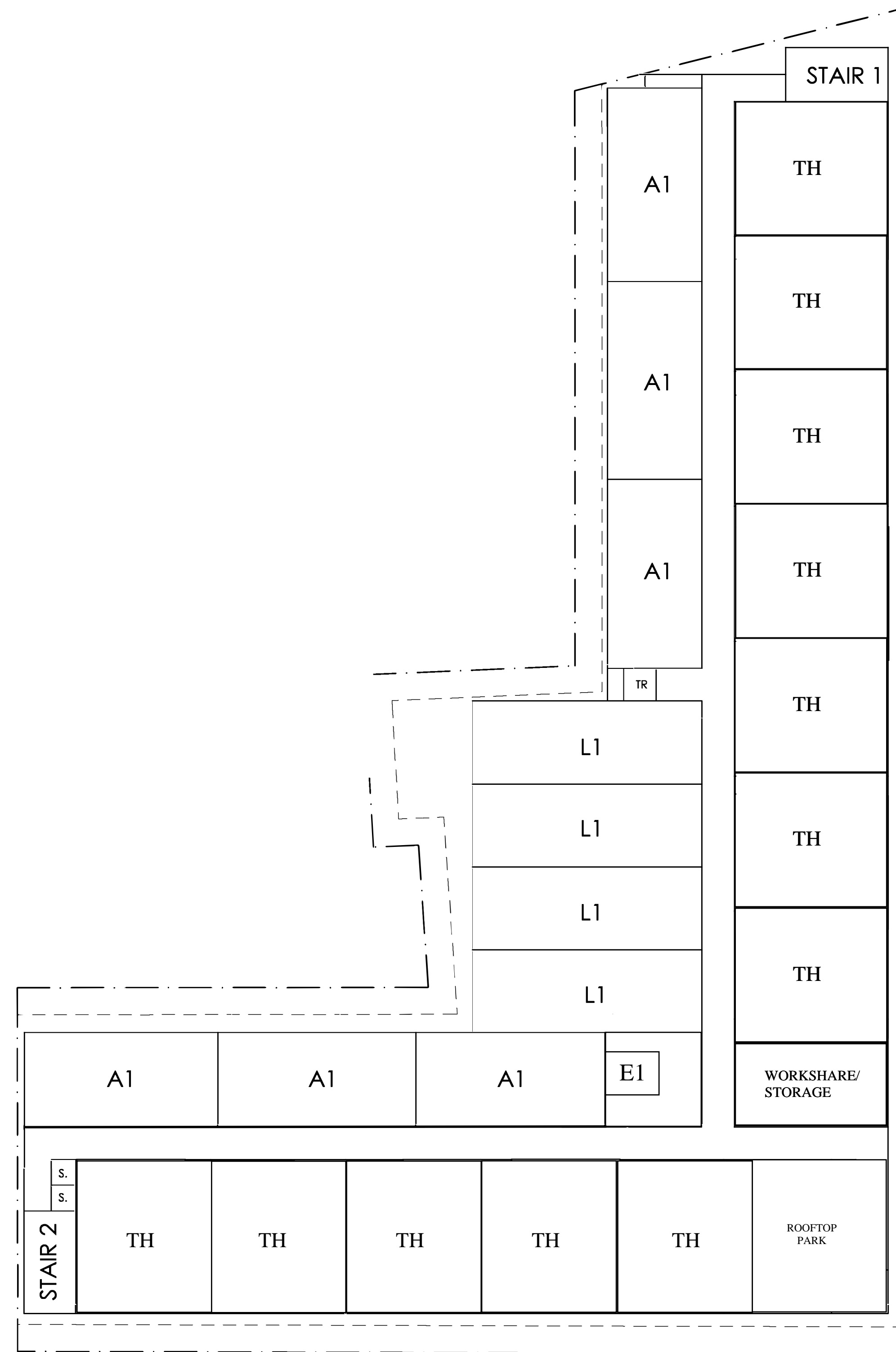
12 TOWNHOMES (2.0 SPACE/UNIT) = 24 PARKING SPACES
 43 STUDIO UNITS (1.25 SPACE/UNIT) = 54 PARKING SPACES

TOTAL PARKING REQUIRED = 78 PARKING SPACES
 OF WHICH 2 NEED TO BE ADA.

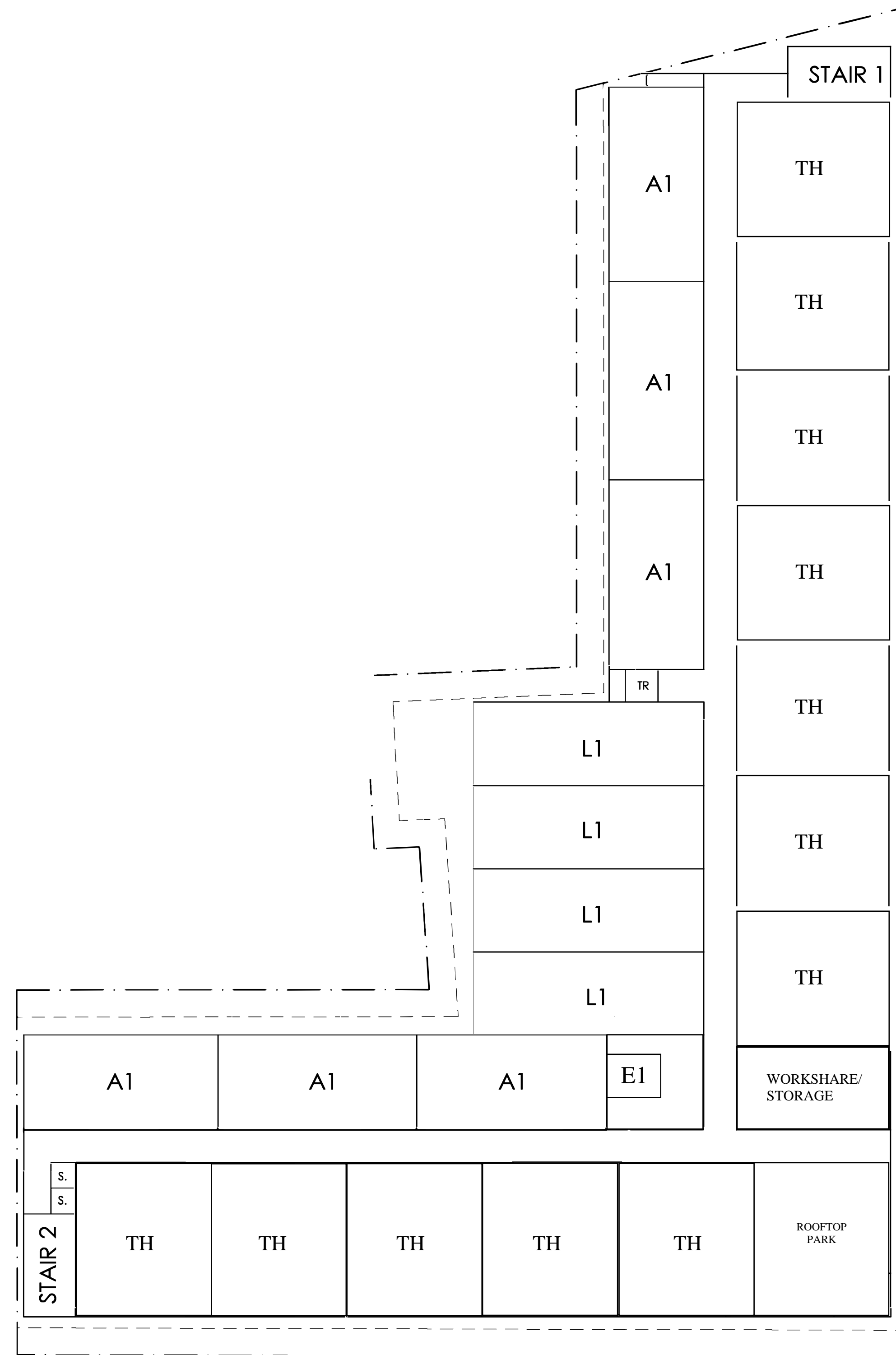
USING THE BIKE CREDIT FOR 10% OF THE REQUIRED = 7
 SPACE CREDIT

TOTAL PARKING REQUIRED WITH CREDIT = 71

TOTAL PARKING PROVIDED = 48



3RD LEVEL



4TH LEVEL



Application Number: 2021-2619

Plat Name: Nine Thirteen McKee

Applicant: MBCO Engineering

Date Submitted: 11/01/2021

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 REMOVE REQUIREMENT TO DEDICATE RIGHT-OF-WAY TO WIDEN CHAPMAN STREET TO 50'

Chapter 42 Section: 42-121(a)(b)

Chapter 42 Reference:

Sec. 42-121. Dedication of rights-of-way. (a) The applicant shall dedicate to the public the right-of-way for any street or alley designated in a subdivision plat as a public right-of-way in accordance with the requirements of this chapter and applicable state law. (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;

Strict application would unnecessarily dedicate right-of-way that cannot be used by the public, depriving the applicant of the use of valuable area needed for efficient and effective development. The lot's unusual configuration and the right-of-way of Chapman Street terminating at a Texas Department of Transportation controlled-access roadway would cause the widening of a 67-foot section of staggered right-of-way to inhibit effective development, would fail to fulfill the spirit and intent of Chapter 42, and would only serve to deprive the owner of scarce property and create an impractical development.

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

The existing right-of-way of Chapman Street terminates at an intersection with Nance Street, an access-controlled Texas Department of Transportation (TxDOT) right-of-way, which is actually an off-ramp from Interstate Highway Number 10. Chapman Street is only (+/-) 220 feet in length, and the paving terminates 90 feet north of the intersection with Nance Street and has been so since time immemorial. There is a minimum of 15' of distance consisting of grass with curb and gutter from the platted intersection of Chapman Street and Nance Street before the paving of Nance is reached. TxDOT will not grant any access from Chapman to Nance Street, therefore any widening would not serve any purpose

consistent with Chapter 42. The proposed development will not take access from Chapman Street, therefore widening Chapman Street when there will be no through-traffic would not serve any purpose consistent with Chapter 42.

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

Not widening Chapman Street would not compromise the intent and general purpose of Chapter 42, as vehicular access to Nance Street will be prohibited, and no through-traffic will occur. The proposed development would not take access from Chapman Street. The widening would serve no purpose, as it would be staggered on one side of Chapman Street and then the other based on the unusual lot configuration, rendering the new configuration impractical.

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

Public health, safety, and welfare are not negatively impacted by granting this variance since local residential circulation will continue to be adequately provided via Rothwell Street and McKee Street. The proposed development would not take access from Chapman Street, would provide no circulation and is a terminating route ending 90 feet before its terminus at Nance Street.

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

Justification for this variance is based on the fact that Chapman Street terminates at Nance Street, which is a controlled-access TxDOT right-of-way, and will not serve as a vehicular connection to Nance Street. The current access from Rothwell is not adjacent to the proposed variance area, the proposed development will not take access from Chapman Street, and a widening of a few short segments of roadway where no traffic impact exists would not be in the spirit or intent of Chapter 42.



CITY OF HOUSTON

Planning and Development

Sylvester Turner

Mayor

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

T. 832.393.6600
F. 832.393.6662
www.houstontx.gov

December 9, 2021

NOTICE OF VARIANCE

PROJECT NAME: Nine Thirteen McKee

REFERENCE NUMBER: 2021-2619



Dear Property Owner:

The Planning and Development Department has received a subdivision plat application with a variance request for a property located south along McKee Street south of Rothwell, east of Chapman and north of Nance. 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.

MBCO Engineering, LLC the applicant, has filed the request on behalf of the developer of the subject site. The applicant is requesting a variance to not provide the required widening to Chapman Street, a 26' right-of-way. 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. A sign with this information has also been posted on the project site. The Houston Planning Commission will hold a public meeting to consider this application.

PLANNING COMMISSION MEETING INFORMATION:

Thursday, December 16, 2021, beginning at 2:30 p.m.

City Hall Annex Building, 900 Bagby Street

City Council Chamber, Public Level, Houston, Texas

Members of the public may make comments or express concerns about the proposed project by either attending the meeting at City Council Chamber listed above or attending the meeting via Microsoft Teams at the time listed above. The Microsoft Teams meeting will allow for a two-way video/ audio communication with the Houston Planning Commission.

For instruction on how to join the Microsoft Teams meeting, interested persons are advised to check our website 72 hours prior to the Planning Commission meeting: www.houstonplanning.com or Call: 832-393-6624.

Council Members: Amy Peck Tarsha Jackson Abbie Kamin Carolyn Evans-Shabazz Dave Martin Tiffany D. 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 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. 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 at least 24 hours in advance of the meeting to sign up to speak.

For additional information regarding this project, please call Seth-David Passovoy, at 281-760-1656. You may also contact Geoff Butler with the Planning and Development Department regarding this notice via email at planning.variances@houstontx.gov or call (832)393-6624. 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.

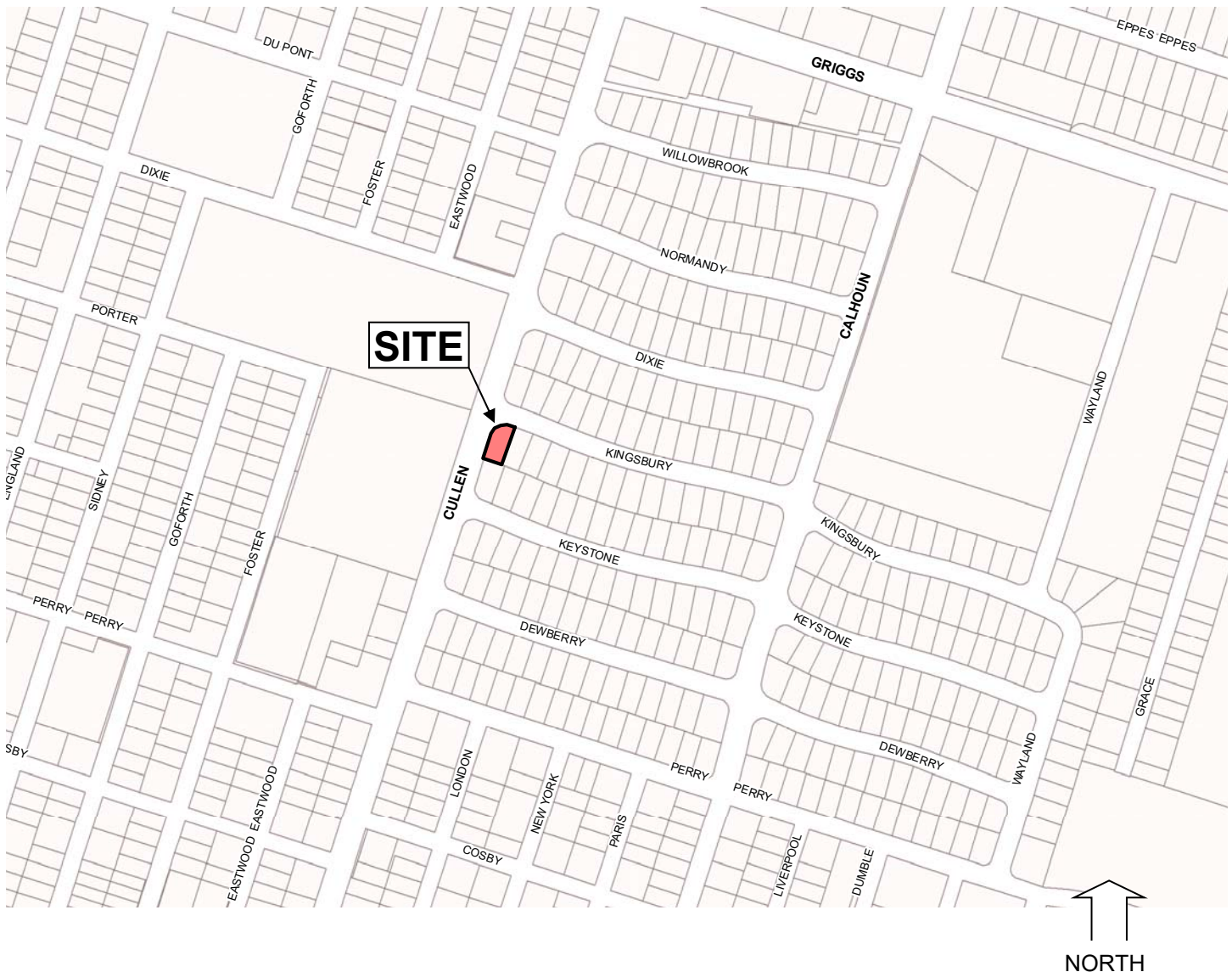
Planning and Development Department

ITEM: 162

Meeting Date: 12/16/2021

Subdivision Name: Rideau Landing

Applicant: Owens Management Systems, LLC



D – Variances

Site Location

Houston Planning Commission

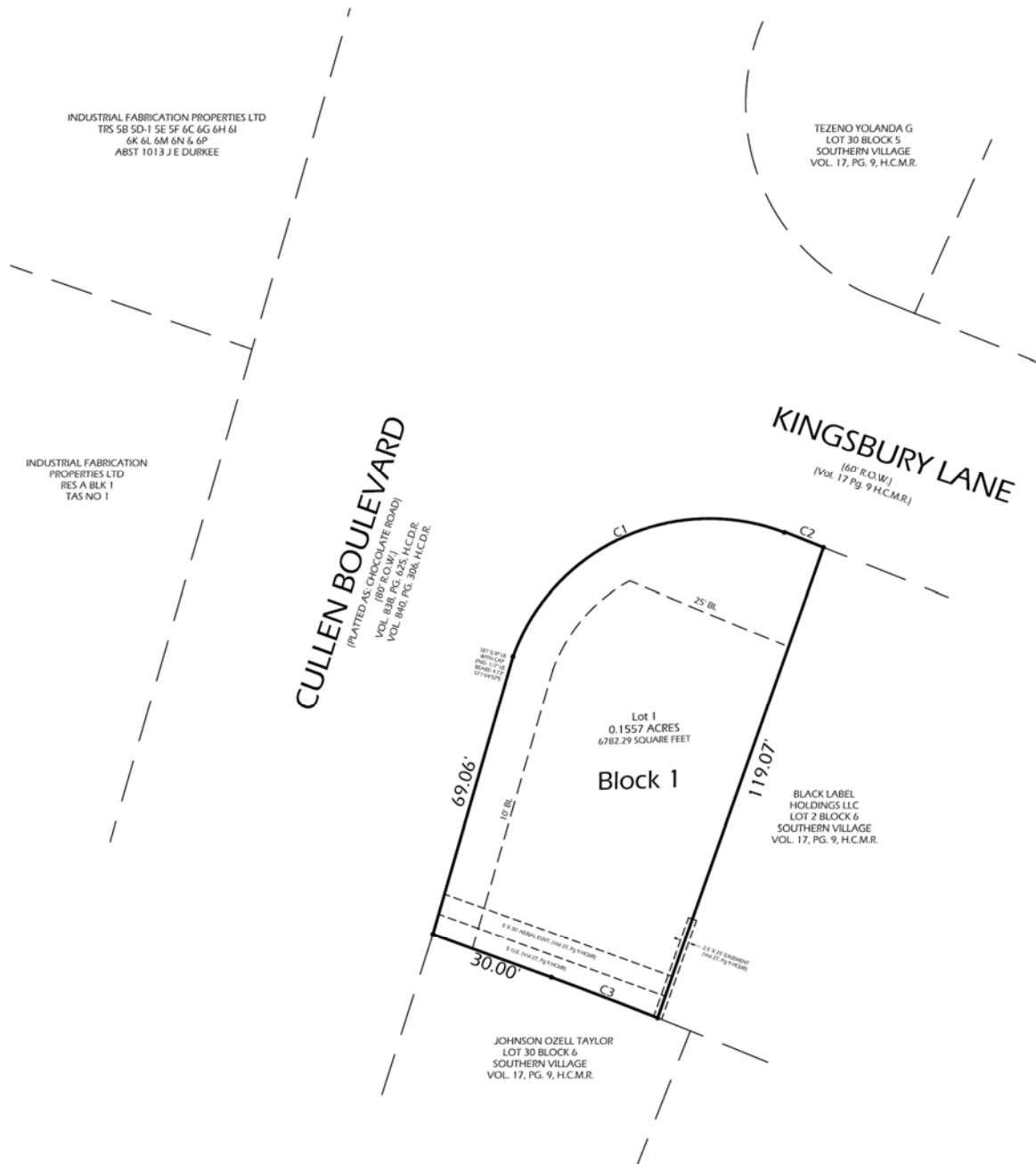
ITEM: 162

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Rideau Landing

Applicant: Owens Management Systems, LLC



D – Variances

Subdivision

Houston Planning Commission

ITEM: 162

Planning and Development Department

Meeting Date: 12/16/2021

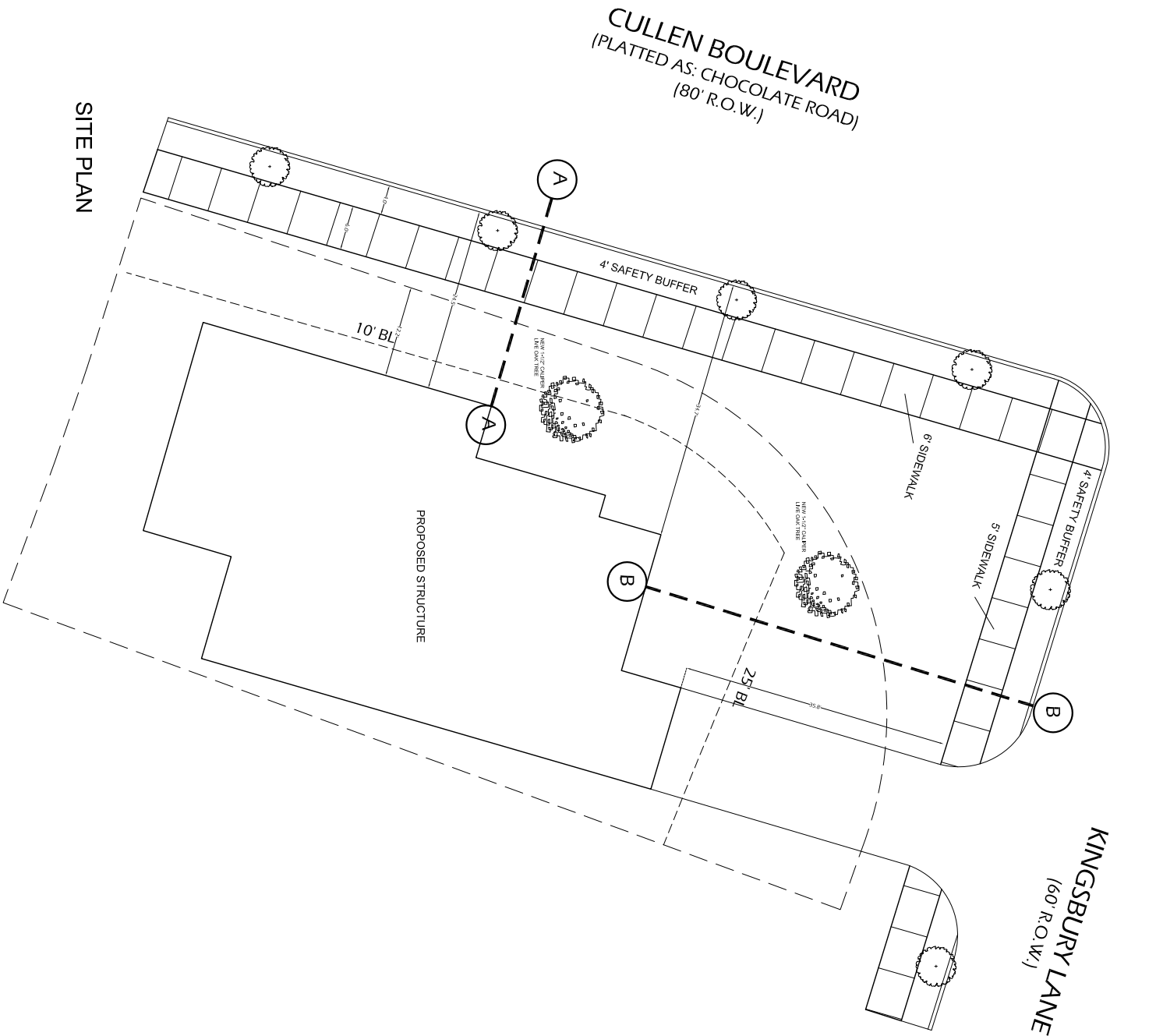
Subdivision Name: Rideau Landing

Applicant: Owens Management Systems, LLC

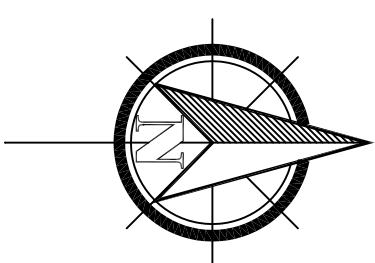


D – Variances

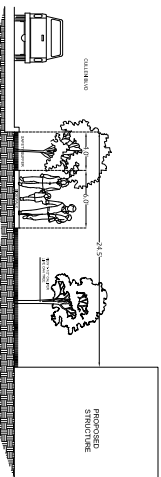
Aerial



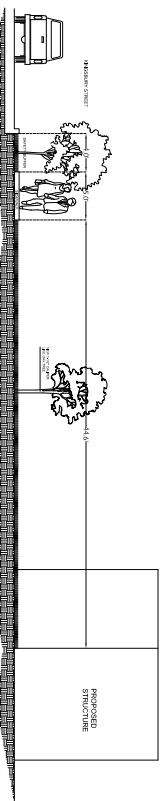
SITE PLAN



SCALE:
1"=20'



CROSS SECTION A



CROSS SECTION B

RIDEAU LANDING

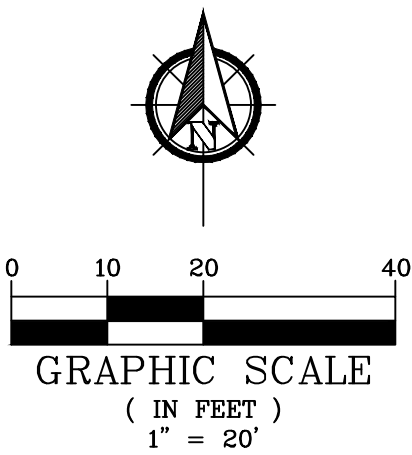
SITE PLAN - CROSS SECTION

DATE: DECEMBER, 2021 SCALE: 1" = 20'

OWENS MANAGEMENT SYSTEMS, LLC
P.O. BOX 88331
HOUSTON, TEXAS 77288
713-643-6333

CURVE CHART				
CURVE	RADIUS	DELTA	LENGTH	BEARING
C1	49.74'	91°10'34"	79.15'	N 65°23'19" E
C2	1,811.28'	0°18'59"	10.00'	S 68°54'55" E
C3	892.28'	1°44'29"	27.12'	S 69°05'03" E
C4	1,811.28'	1°53'53"	60.00'	S 67°48'30" E
C5	1,811.28'	0°28'46"	15.16'	S 66°37'10" E
C6	1,871.89'	0°08'35"	4.67'	S 66°27'04" E
C7	1,871.89'	9°10'57"	300.00'	S 71°06'50" E
C8	1,871.89'	3°00'28"	98.27'	S 77°12'33" E
C9	1,666.50'	0°39'25"	19.11'	S 78°23'04" E
C10	1,666.50'	2°03'46"	60.00'	S 77°01'28" E
C11	1,666.50'	2°03'46"	60.00'	S 74°57'42" E

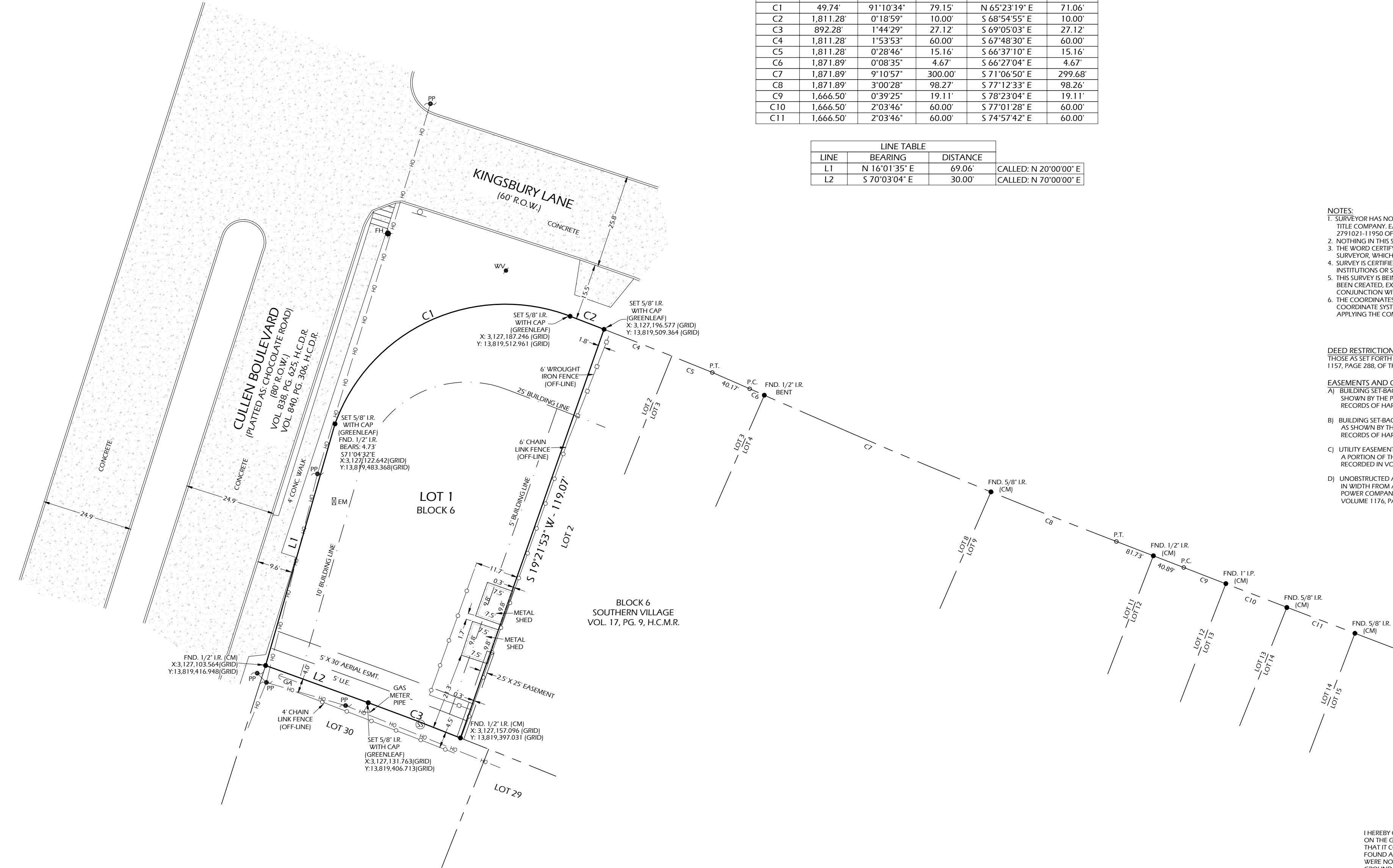
LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 16°01'35" E	69.06'
L2	S 70°03'04" E	30.00'



- NOTES:
1. SURVEYOR HAS NOT ABSTRACTED PROPERTY. SURVEY IS BASED ON LEGAL DESCRIPTIONS SUPPLIED BY TITLE COMPANY. EASEMENTS, BUILDING LINES, ETC., SHOWN HEREON ARE AS IDENTIFIED BY GF. NO. 2791021-11950 OF TEXAS AMERICAN TITLE COMPANY.
 2. NOTHING IN THIS SURVEY IS INTENDED TO EXPRESS AN OPINION REGARDING OWNERSHIP OR TITLE.
 3. THE WORD CERTIFY IS UNDERSTOOD TO BE AN EXPRESSION OF PROFESSIONAL JUDGMENT BY THE SURVEYOR, WHICH IS BASED ON HIS BEST KNOWLEDGE, INFORMATION AND BELIEF.
 4. SURVEY IS CERTIFIED FOR THIS TRANSACTION ONLY; IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
 5. THIS SURVEY IS BEING PROVIDED SOLELY FOR THE USE OF THE CURRENT PARTIES AND NO LICENSE HAS BEEN CREATED, EXPRESSED OR IMPLIED, TO COPY THE SURVEY EXCEPT AS IS NECESSARY IN CONJUNCTION WITH THE ORIGINAL TRANSACTION.
 6. THE COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE 4204 (NAD 83) AND CAN BE CONVERTED TO SURFACE BY APPLYING THE COMBINED SCALE FACTOR OF 0.999885339.

DEED RESTRICTIONS:
THOSE AS SET FORTH BY INSTRUMENT(S) FILED FOR RECORD UNDER VOLUME 1157, PAGE 286 AND VOLUME 1157, PAGE 288, OF THE DEED RECORDS AND UNDER COUNTY CLERK'S FILE NO(S). B991010.

- EASEMENTS AND OTHER ENCUMBRANCES:
- A) BUILDING SET-BACK LINE(S) 25 FEET IN WIDTH ALONG THE NORTHERLY (FRONT) PROPERTY LINE(S), AS SHOWN BY THE PLAT OF SOUTHERN VILLAGE, RECORDED IN VOLUME 17, PAGE 9 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS. (AS SHOWN).
 - B) BUILDING SET-BACK LINE(S) 10 FEET IN WIDTH ALONG THE WESTERLY (SIDE STREET) PROPERTY LINE(S), AS SHOWN BY THE PLAT OF SOUTHERN VILLAGE, RECORDED IN VOLUME 17, PAGE 9 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS. (AS SHOWN).
 - C) UTILITY EASEMENT(S) 5 FEET IN WIDTH ALONG THE SOUTHERLY (REAR) AND 2.5 FEET IN WIDTH ALONG A PORTION OF THE EASTERLY (SIDE) PROPERTY LINE(S), AS SHOWN BY THE PLAT OF SOUTHERN VILLAGE, RECORDED IN VOLUME 17, PAGE 9 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS. (AS SHOWN).
 - D) UNOBSTRUCTED AERIAL EASEMENT(S), ADJOINING THE ABOVE DESCRIBED UTILITY EASEMENT(S), 5 FEET IN WIDTH FROM A PLANE 30 FEET ABOVE THE GROUND UPWARD, GRANTED TO HOUSTON LIGHTING & POWER COMPANY, AS SET FORTH AND DEFINED BY INSTRUMENT(S) FILED FOR RECORD UNDER VOLUME 1176, PAGE 598, OF THE DEED RECORDS OF HARRIS COUNTY, TEXAS. (AS SHOWN).



FLOOD INFORMATION
PROPERTY IS NOT IN THE 100 YEAR FLOOD ZONE. THIS PROPERTY LIES IN ZONE 'X' ACCORDING TO F.I.R.M. MAP NO. 48201C0880M DATED 1-6-2017.

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

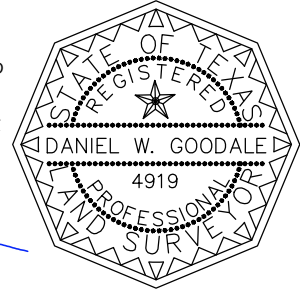
LEGEND:
H.C.M.R. - HARRIS COUNTY MAP RECORD
H.C.D.R. - HARRIS COUNTY DEED RECORD
H.C.C.F. - HARRIS COUNTY CLERK FILE
R.O.W. - RIGHT OF WAY
CM - CONTROL MONUMENT
I.R./I.P. - IRON ROD/IRON PIPE
PTP - PINCHED TOP PIPE
GA - GUY ANCHOR
PP - POWER POLE
EM - ELECTRIC METER
U.E. - UTILITY EASEMENT
A.E. - AERIAL EASEMENT
FH - FIRE HYDRANT
WV - WATER VALVE

4502 KINGSBURY STREET
HOUSTON, TEXAS 77021

DATE: 12-02-2021	CLIENT : OWENS MANAGEMENT SYSTEMS, LLC
REVISION:	BUYER : NA
DRAWN BY: GA	LENDER : NA
APPROVED BY: DWG	
PROJECT NO: GL-9818	

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

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



AN EXISTING CONDITIONS SURVEY OF

LOT ONE (1), IN BLOCK SIX (6), OF SOUTHERN VILLAGE, A SUBDIVISION IN HARRIS COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 17, PAGE 9 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS.

(BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE 4204 (NAD 83), DERIVED FROM G.P.S. OBSERVATION).



GREENLEAF
SURVEYING

GREENLEAF LAND SURVEYS, LLC
10900 NORTHWEST FWY SUITE # 129
HOUSTON, TEXAS 77092
DIR: 832-668-5003 FAX: 832-553-7210
FIRM# 10193977
orders@gllsurveys.com
www.greenleaflandsurveys.com



PLANNING & DEVELOPMENT DEPARTMENT

APPLICANT'S Variance Request Form

Application Number: 2021-2930

Plat Name: Rideau Landing

Applicant: Owens Management Systems, LLC

Date Submitted: 12/06/2021

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

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

Specific Variance is being sought and extent of variance:

Specific Variance is being sought and extent of variance: To allow a reduced BL of 10 feet along Cullen Blvd. instead of the required 25' BL.

Chapter 42 Section: 152

Chapter 42 Reference:

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

Statement of Facts

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

The site is located at the intersection of Cullen Boulevard (Major Thoroughfare) and Kingsbury Street. The proposed plat is out of Southern Village recorded in 1940. Cullen Boulevard previously known as Chocolate Road was classified as a MTF around 1955. The original plat of Southern Village was platted with a 10' building line along Chocolate Road (Cullen Blvd). 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 by requiring 25 feet building line along Cullen Blvd instead of the existing 10 feet building line. The proposed lot has an approximately width of 57 feet. Requiring 25 feet building line will reduce considerably the lot's buildable area. In addition to this, the lot is a corner lot with a radius and a building line required along Kingsbury Street which further reduces the area to develop the lot. The Distance from back of curb along Cullen Blvd to the proposed House is approximately 25 feet to the closest point and 13.7 feet from the property line. The house will have the garage access along Kingsbury Street. New 6 feet sidewalks will be provided along Cullen Blvd with a 4 feet safety buffer with trees and 5 feet sidewalks along Kingsbury with 4 feet safety buffer with trees.

(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;

Cullen Blvd previously known as Chocolate Road was reclassified to a MTF around 1955 after the original plat "Southern Village" was recorded. On the Southern Village subdivision, a platted 10 feet building line is shown along Cullen Blvd (Chocolate Road). Requiring 25 feet building line along Cullen Blvd will reduced considerably the lot size in combination with the corner radius and the required building line along Kingsbury Street. The proposed 10 feet setback along Cullen Blvd replicates the existing setbacks for some of the houses along the MTF.

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

The Distance from back of curb along Cullen Blvd to the proposed House is approximately 25 feet to the closest point and 13.7 feet from the property line. The house will have the vehicular access along Kingsbury Street. New 6 feet sidewalks will be provided along Cullen Blvd with a 4 feet safety buffer with proposed trees and 5 feet sidewalks along Kingsbury with 4 feet safety buffer with proposed trees. Adequate distance from the MTF to the proposed structure will be provided. Wider sidewalks with safety buffers between the sidewalk and street will provide a safer pedestrian

environment. No curb cuts will be created along Cullen Blvd. Residential properties along Cullen Blvd have a similar setback as the proposed setback for new structure. This will help maintain the character of the neighborhood. Providing adequate pedestrian and vehicular access in addition to a safe distance for the proposed structure from the MTF and maintaining a similar setback to the existing homes along the MTF will preserve the intent and general purpose of this chapter.

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

The proposed structure will be setback approximately 25 feet measured from the back of curb along Cullen Blvd and approximately 13.7 feet from the property line. This will keep a safe distance between the vehicular traffic and the proposed structure. A new 6 feet sidewalk with a 4 feet safety buffer with proposed trees will be provided along Cullen Blvd to have a safer and more pleasant pedestrian realm. Same amenities will be provided along Kingsbury Street but with a 5 feet sidewalk. Vehicular access for the proposed house will be along Kingsbury Street. Allowing a reduced building line of 10 feet will not be injurious to the public health, safety or welfare. There is no vehicular access to Cullen.

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

One House will be built on the proposed lot without increasing the lot density. The house will only have vehicular access along Kingsbury Street. New 6 feet sidewalks will be provided along Cullen Blvd with a 4 feet safety buffer with proposed trees and 5 feet sidewalks along Kingsbury with 4 feet safety buffer with proposed trees.



CITY OF HOUSTON

Planning and Development

Sylvester Turner

Mayor

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

T. 832.393.6600
F. 832.393.6662
www.houstontx.gov

December 8th, 2022

NOTICE OF VARIANCE

PROJECT NAME: Rideau Landing
REFERENCE NUMBER: 2021-2930



Dear Property Owner:

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

Owens Management Systems, LLC, the applicant, has filed the request on behalf of the developer of the subject site. The applicant is requesting a variance to allow a 10' building line along Cullen Blvd instead of the required 25'. Enclosed are copies of the variance request, the proposed subdivision plat, and the site plan submitted by the applicant.

The Planning and Development Department staff is currently reviewing this application and will present a recommendation to the Houston Planning Commission. The Commission is the non-legislative body authorized to review and render decisions on subdivision applications and requests. A sign with this information has also been posted on the project site. The Houston Planning Commission will hold a public meeting to consider this application.

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City Council Chamber, Public Level, Houston, Texas

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2. Call the Planning Department at: 832-393-6624 at least 24 hours in advance of the meeting to sign up to speak.

For additional information regarding this project, please call Joyce Owens with Owens Management Systems, LLC at 713-643-6333. You may also contact Devin Crittle with the Planning and Development Department regarding this notice via email at planning.variances@houstontx.gov 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.

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TERMINOLOGY

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- **SPECIAL EXCEPTION:** A commission-approved adjustment to the certain standards of Chapter 42. The applicant must document existing special circumstances unique to the land that justify modification of the development standards.

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

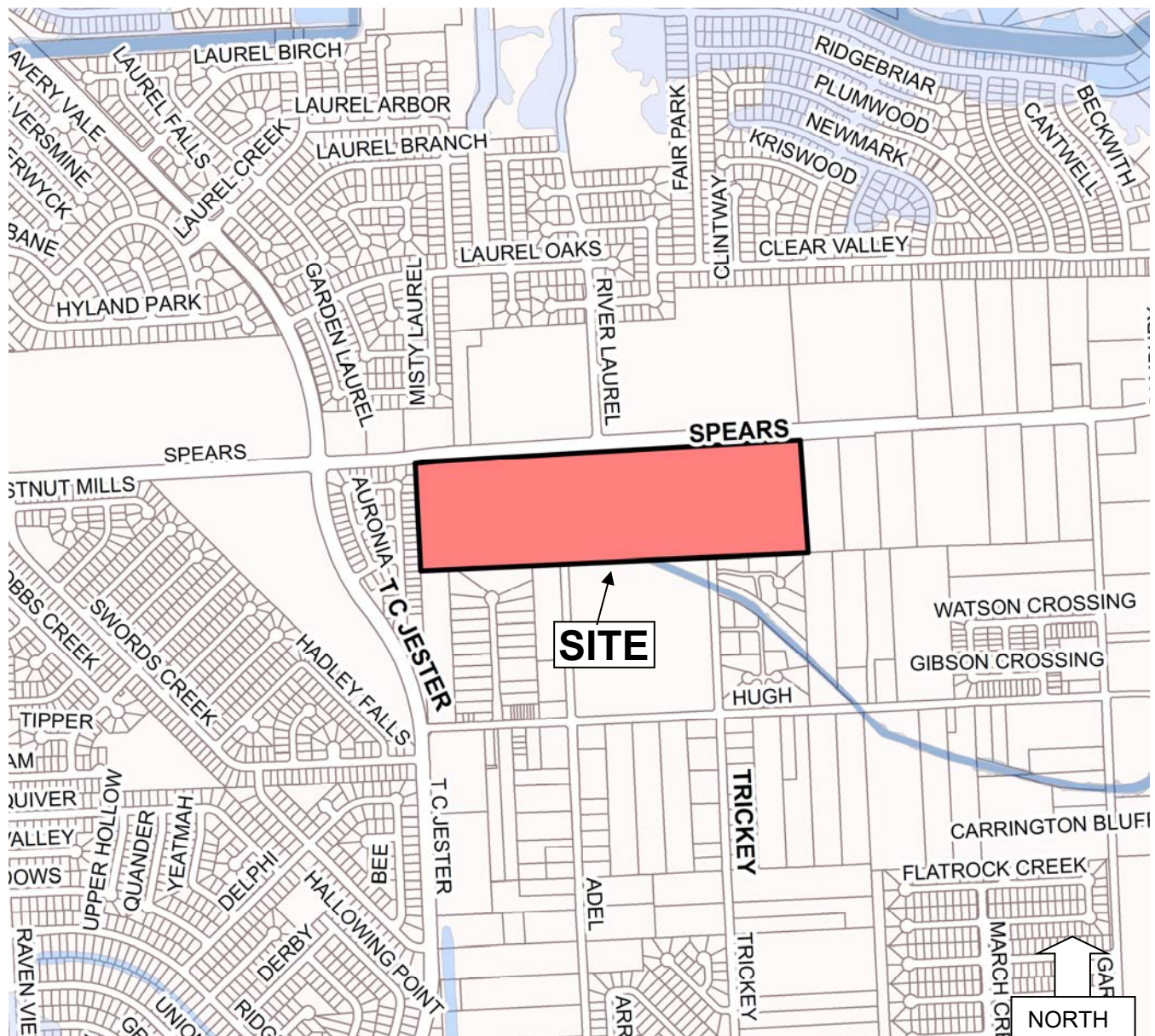
ITEM: 163

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Spears Road Tract South

Applicant: Jones|Carter



D – Variances

Site Location

Houston Planning Commission

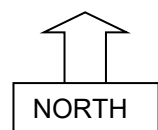
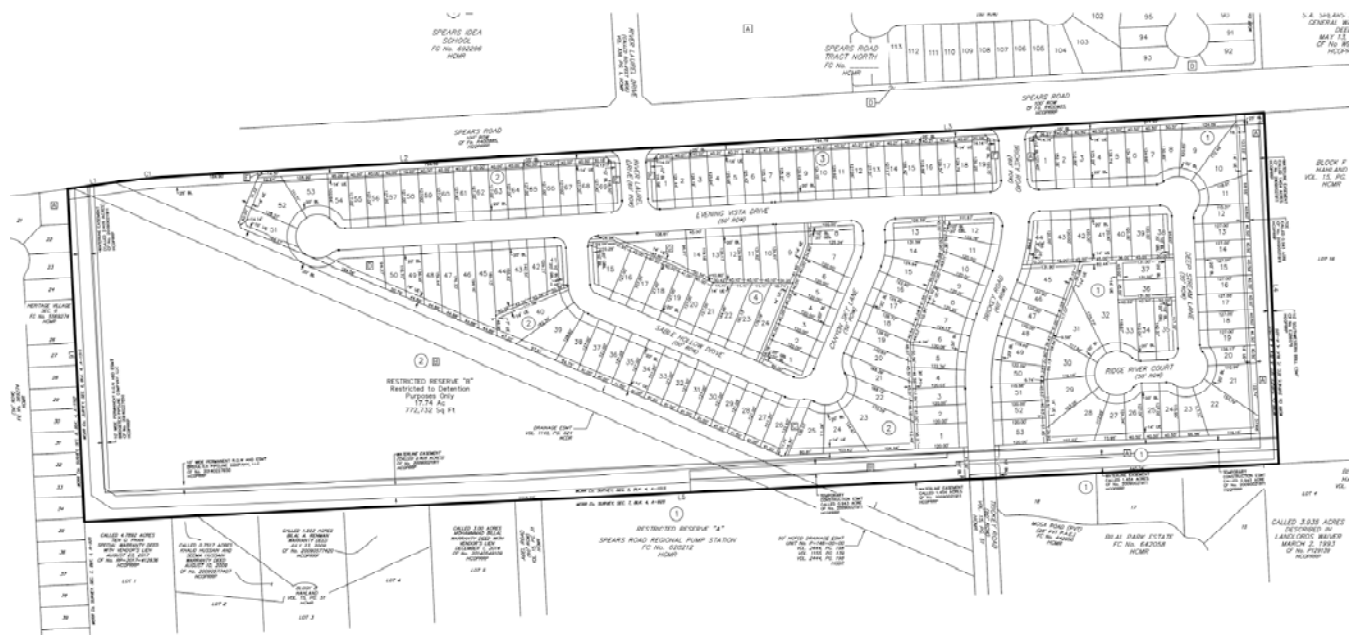
ITEM: 163

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Spears Road Tract South

Applicant: Jones|Carter



D – Variances

Subdivision

Houston Planning Commission

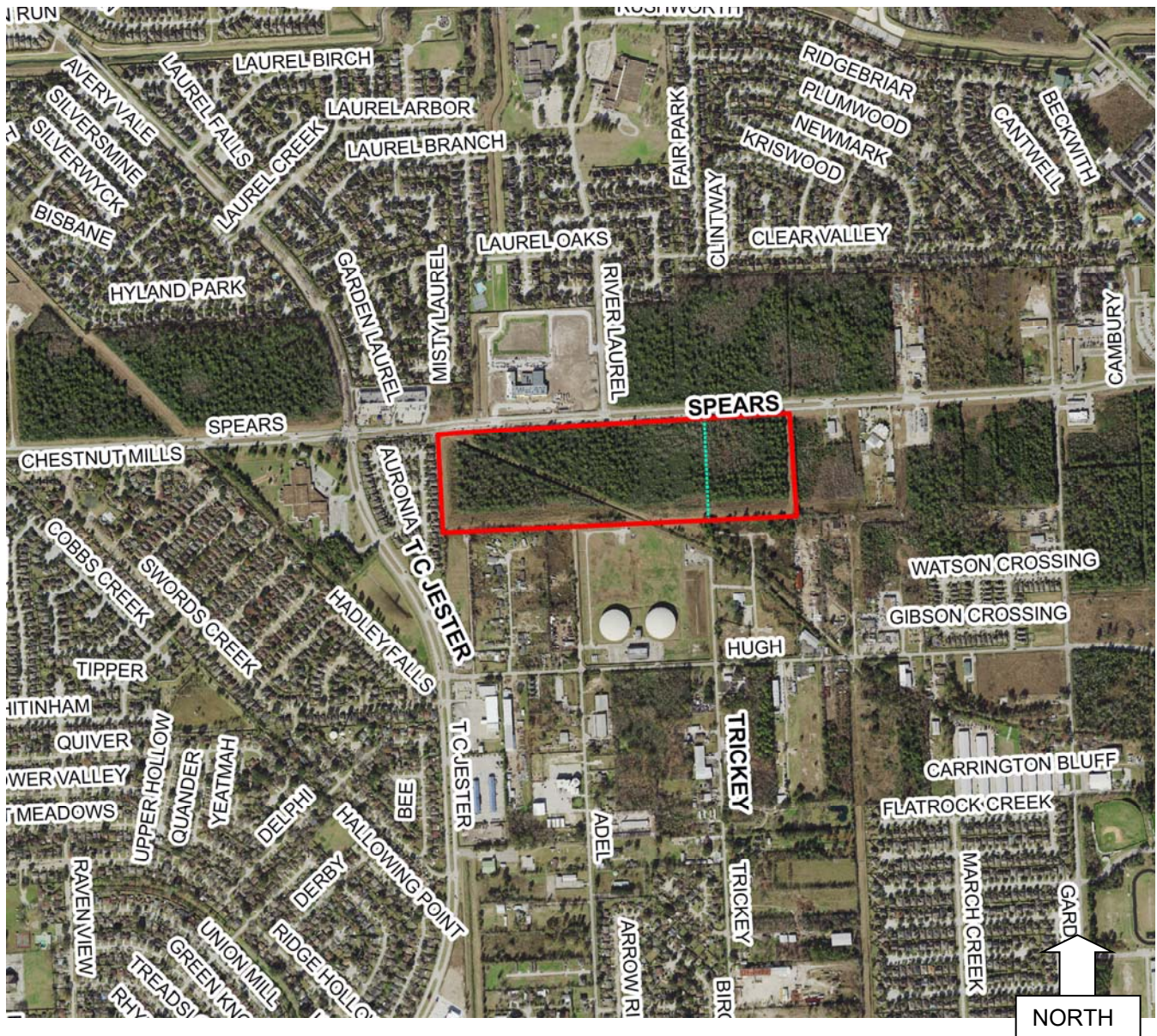
ITEM: 163

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Spears Road Tract South

Applicant: Jones|Carter



D – Variances

Aerial



Application Number: 2021-2842
Plat Name: Spears Road Tract South
Applicant: Jones|Carter - Woodlands Office
Date Submitted: 11/22/2021

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

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

Specific Variance is being sought and extent of variance:

To not extend or provide a cul-de-sac for Adel Road.

Chapter 42 Section: 42-128

Chapter 42 Reference:

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

Statement of Facts

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

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

The subject tract is 49.4 acres in the City of Houston's ETJ in northern Harris County. The tract is located along Spears Road, less than one-quarter mile east of TC Jester Boulevard. Both Spears Road and TC Jester Boulevard are designated major thoroughfares on the City's Major Thoroughfare Plan. Two stub streets, Trickey Road and Adel Road, were established along the subject tract's southern boundary in 1939 as part of the "Hahland" subdivision. Trickey Road is now a designated major collector on the City's Major Thoroughfare Plan. As part of this development, Trickey Road is being extended through the site to tie into an existing median cut on Spears Road. Extending or providing a cul-de-sac for Adel Road is more problematic as there are several physical characteristics that are barriers to the extension of the street. First, there is an existing drainage easement/ditch that extends diagonally through the site which is the ultimate outfall location for the project. Given the location of the ditch and the fact that it will be our outfall location, the optimal location for the project's detention facilities is the southeast corner of the tract. By requiring the extension of a road north, the detention pond would have to be split into two, less-efficient ponds and the existing ditch would require a bridge or culvert to cross. In addition to the drainage easement there is also an existing pipeline easement and waterline easement that would have to be crossed by the street. Requiring the extension of Adel and the Major Collector Trickey Road places an undue hardship on the applicant.

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

The stub streets along the southern property were platted in 1932, well before the area was developed and a subdivision ordinance was in place.

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

The intent and general purpose of the chapter will be maintained as by extending Trickey Road through the site, sufficient traffic circulation will be provided for the area.

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

Granting the variance will not be injurious to the public as the existing traffic patterns have sufficiently served the area for many years. By extending Trickey Road through the site, traffic circulation will be further improved.

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

The justification for the variance is desire of the developer to avoid undesirable cut-through traffic at two locations through a small residential subdivision.

Houston Planning Commission

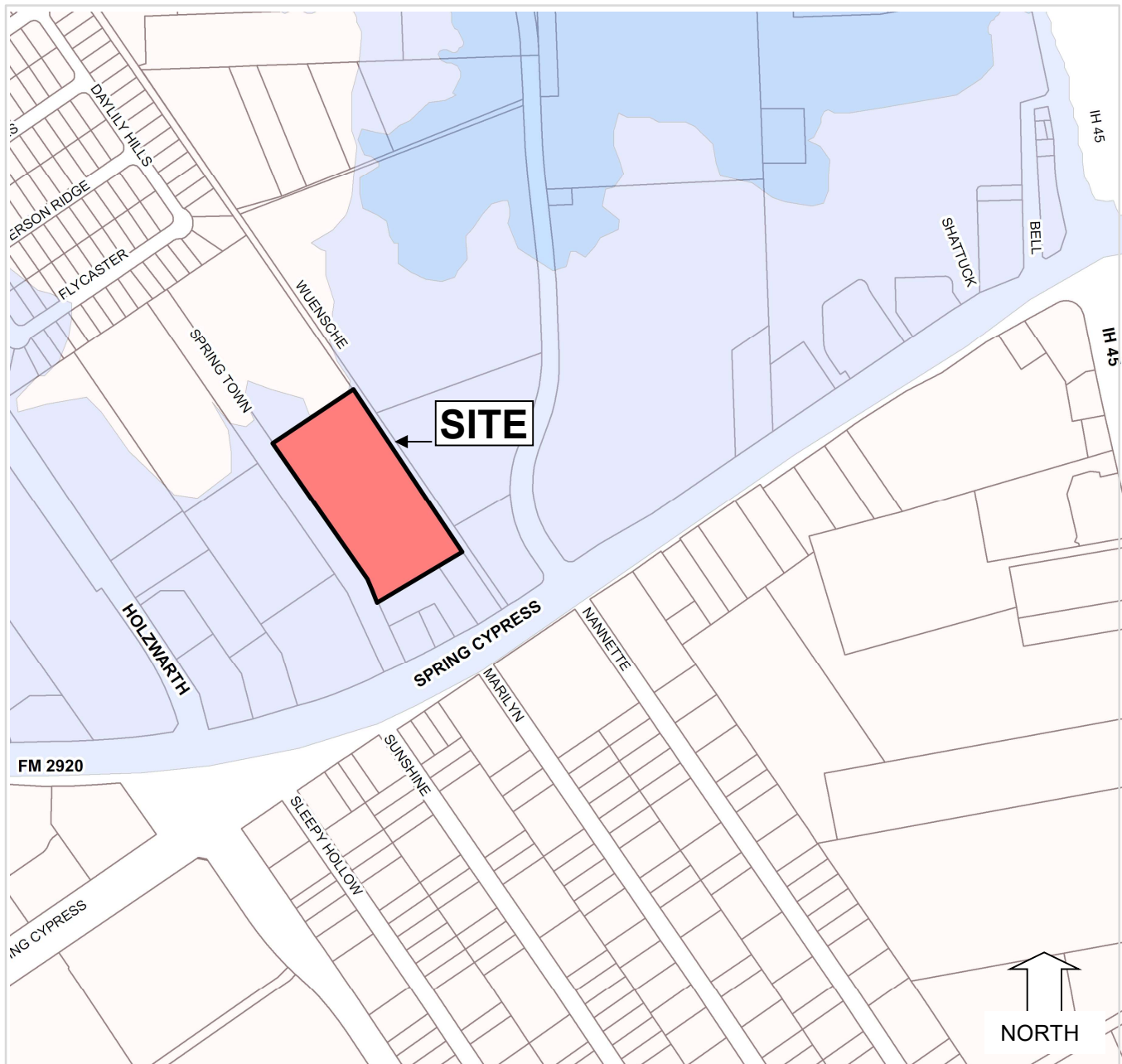
ITEM: 164

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Spring Park West

Applicant: Atkinson Engineers



D – Variances

Site Location

Planning and Development Department

ITEM: 164

Meeting Date: 12/16/2021

Subdivision Name: Spring Park West

Applicant: Atkinson Engineers



D – Variances

Subdivision

Houston Planning Commission

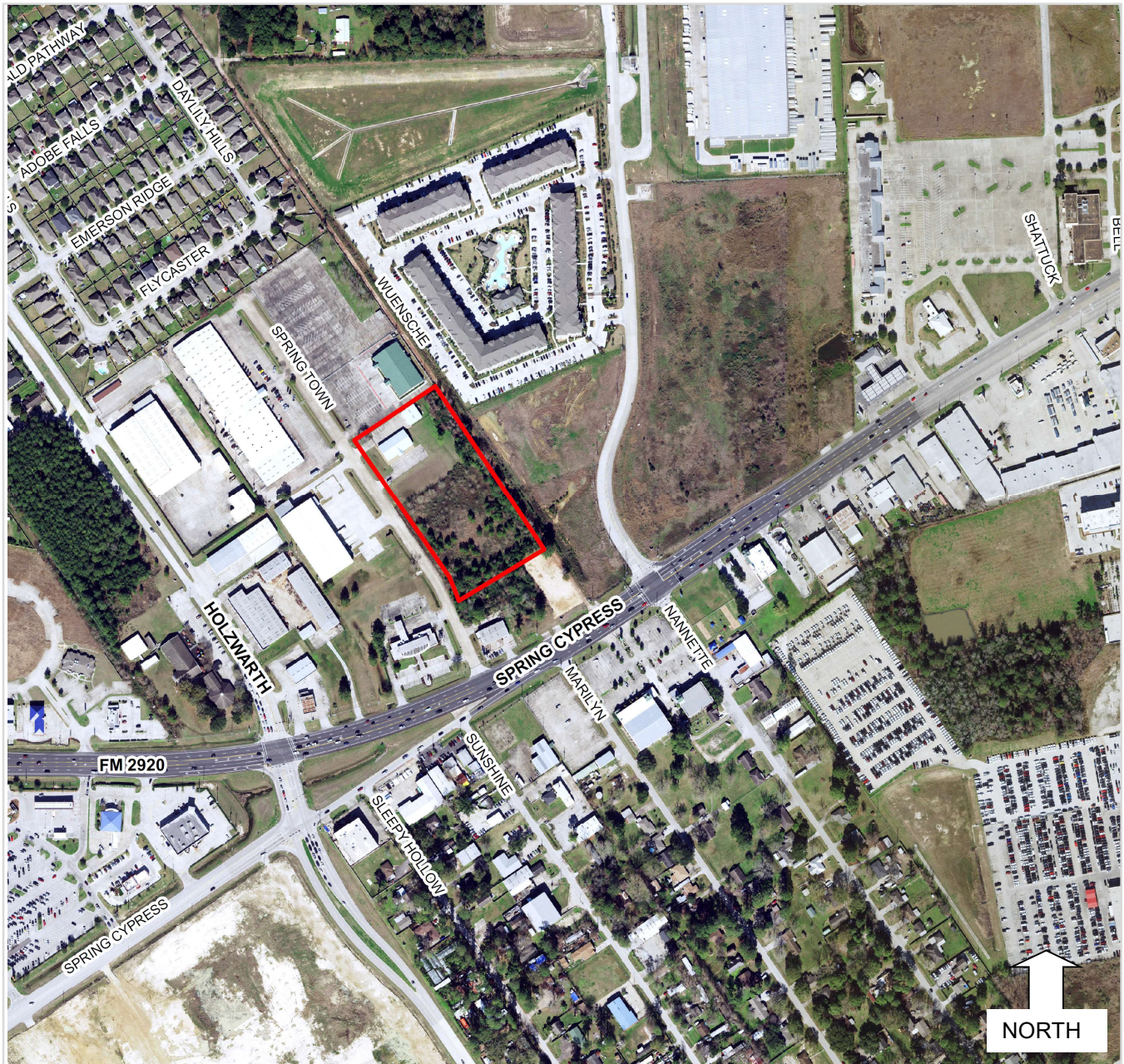
ITEM: 164

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Spring Park West

Applicant: Atkinson Engineers



D – Variances

Aerial



PLANNING & DEVELOPMENT DEPARTMENT

APPLICANT'S Variance Request Form

Application Number: 2021-2906

Plat Name: Spring Park West

Applicant: Atkinson Engineers

Date Submitted: 12/06/2021

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:

Not to require the applicant to provide the required Public Street access (R.O.W.) and frontage for the existing parcel tract and approve the plat as shown.

Chapter 42 Section: 190(c)

Chapter 42 Reference:

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: (See Requirements Below)

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 dedication of a public r.o.w. to serve the proposed 4.6859 acre reserve, would be impractical, in that the owner is not able acquire the needed right-of way to meet the requirement for public street access. The proposed plat is currently served by an existing 80' access easement, Spring Towne Drive, established in the late 1980's and has served as an access road to five commercial site since the late 1990's. The requirements of 60' of frontage on a dedicated 60' public r.o.w., for this tract, is not warranted and an undue burden for one owner, as he only does not owns the access easement and would not be able to dedicate the public r.o.w.

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

The variance requested is not due to this planned development, but from the current conditions, on the ground, of prior development in the area.

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

The current 80' access easement provides the needed ingress and egress to this tract and the adjacent property, and has an existing 41' paving section throughout.

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

The granting the variance and the requirements from Sec 42-190(c) would not be injurious, in that the owner is complying with platting requirements for the tract and will applying for the appropriate permits. The current vehicular traffic should not increase, as this is an existing condition and the established 80' access easement, (41' paving), has served and provided sufficient vehicular circulation, for this plat and adjacent development.

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

The granting of this variance is not solely on economics, but is based on the inability of the owner to dedicate the required r.o.w., per Sec. 42-190(c),. Again, the current 80' access easement is sufficient to serve the access needs for this tract and the adjacent tract on Spring Towne Drive.

Houston Planning Commission

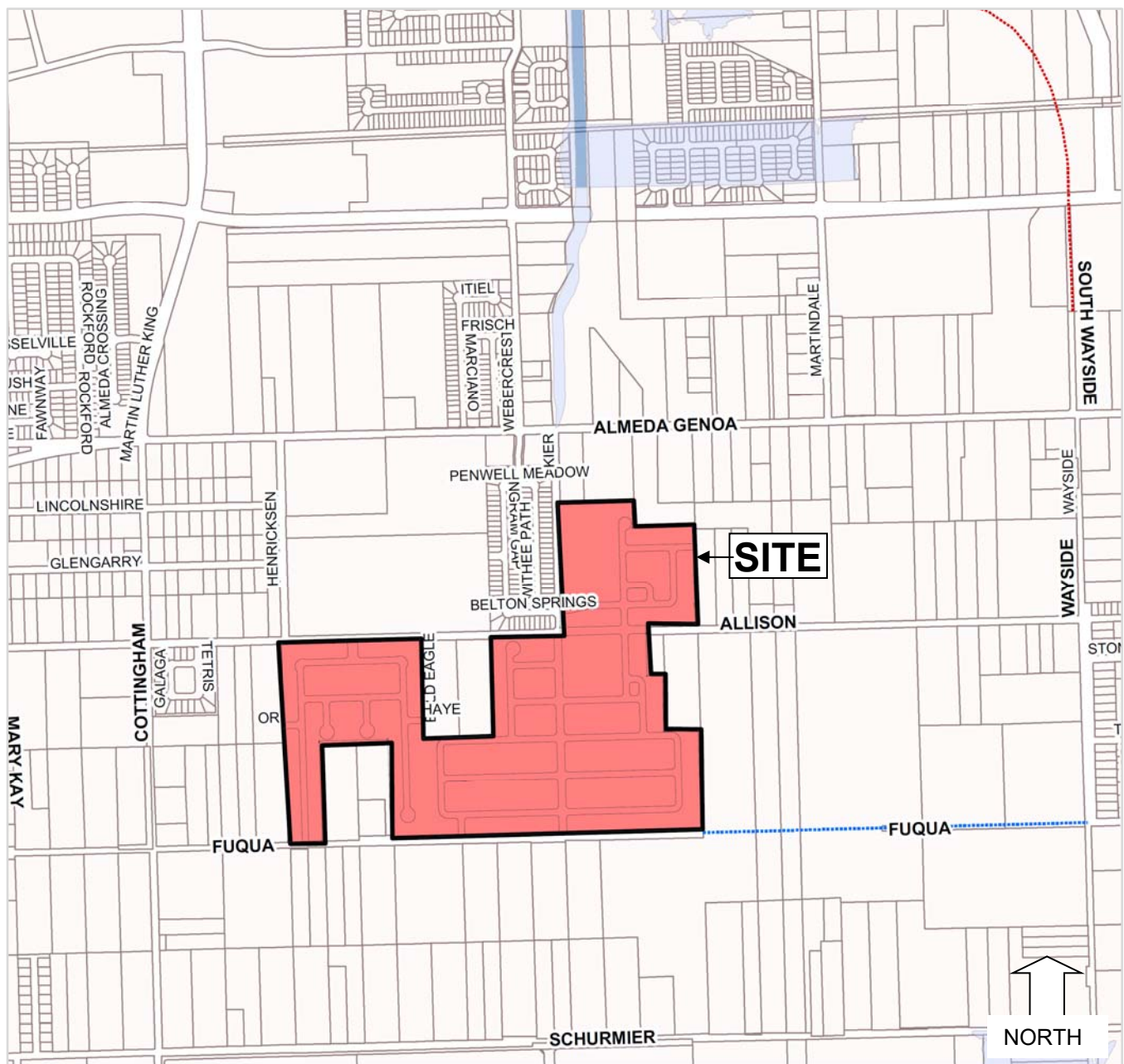
ITEM: 165

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Allison Park GP (DEF 1)

Applicant: Meta Planning + Design LLC



E – Special Exception

Site Location

Houston Planning Commission

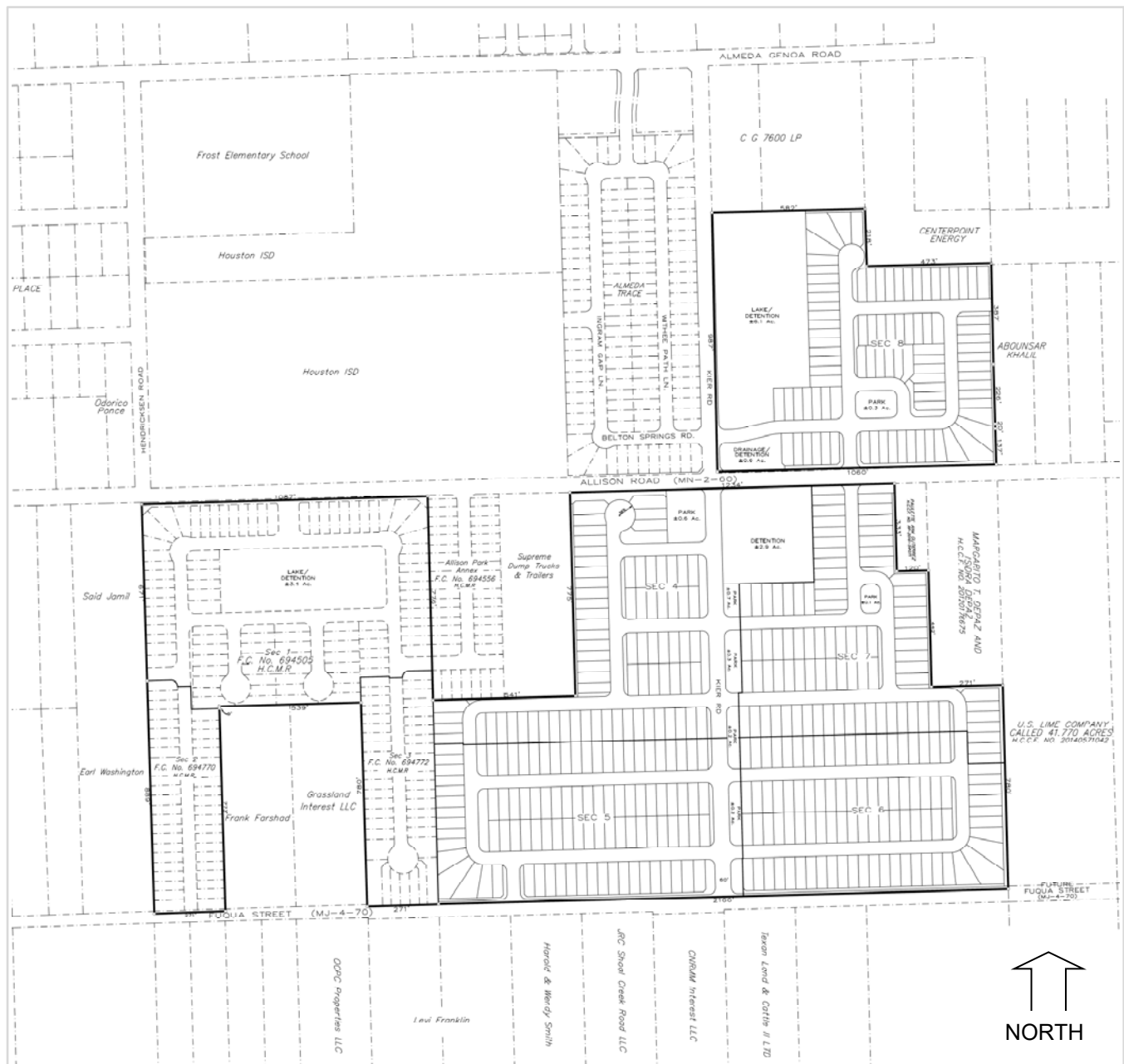
ITEM: 165

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Allison Park GP (DEF 1)

Applicant: Meta Planning + Design LLC



E – Special Exception

Subdivision

Houston Planning Commission

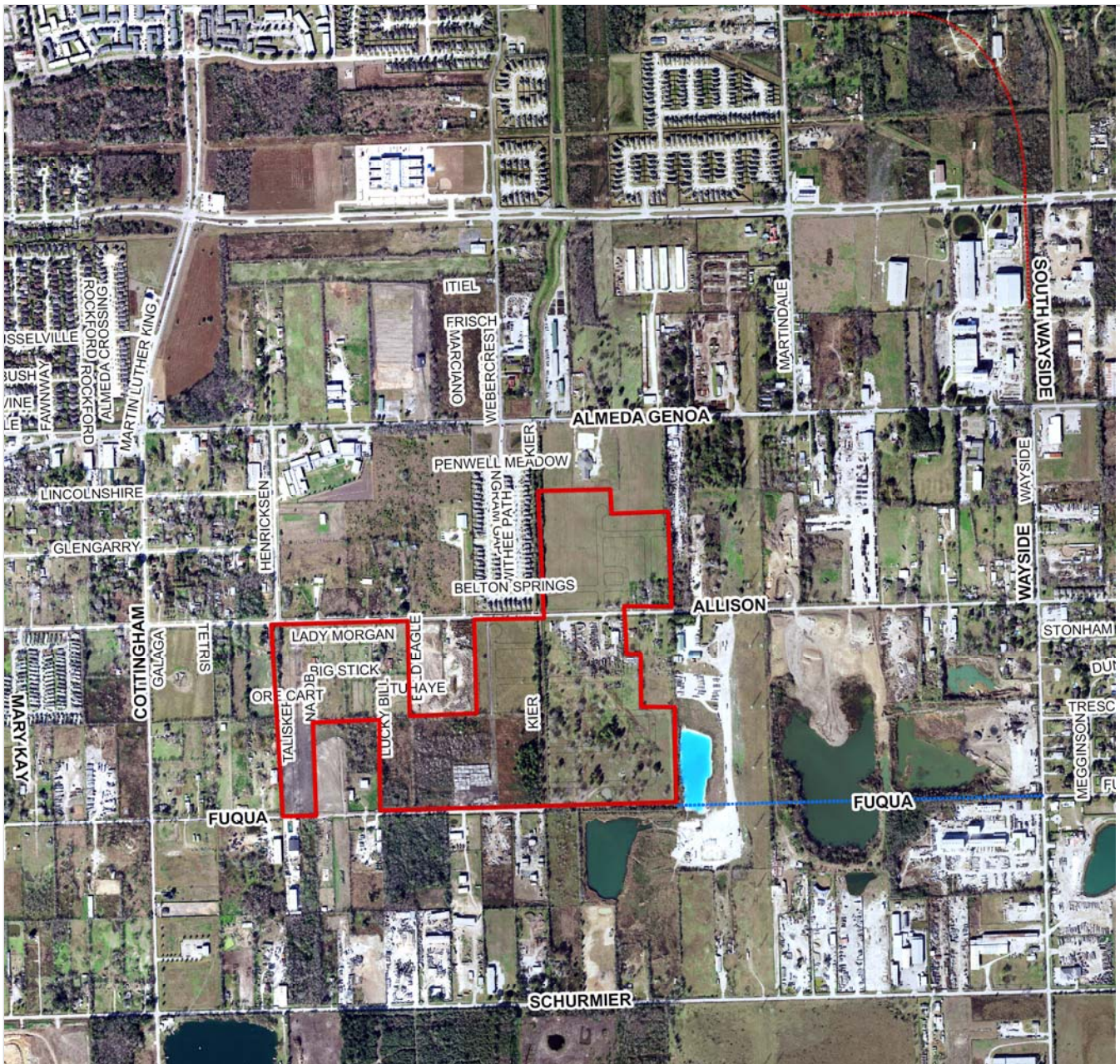
ITEM: 165

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Allison Park GP (DEF 1)

Applicant: Meta Planning + Design LLC



E – Special Exception

Aerial



Application Number: 2021-2717

Plat Name: Allison Park GP

Applicant: Meta Planning + Design LLC

Date Submitted: 11/19/2021

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

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

Specific requirement for which the special exception is being sought:

To allow an intersection spacing of $\pm 1,545$ between minor collector Allison Road and major collector Fuqua Street.

Chapter 42 Section: 128

Chapter 42 Reference:

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

Statement of Facts

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

Allison Park is a growing single-family residential community along Allison Road, far south of downtown Houston near Beltway 8. The General Plan encompasses property on both sides of Allison Road, a designated Minor Collector on the Houston Major Thoroughfare and Freeway Plan. The southern portion extends across the entire block south of Allison Rd to Fuqua Street, a designated Major Collector. The two streets run parallel to each other on pre-existing rights-of-way established by the Minnetex Place plat recorded in 1908, with a separation of approx. 1,550'. Per the MTFP, Fuqua is to be widened to 70', resulting in an intersection separation of 1,545' East of the subject site between Allison Rd and Fuqua Street is a tract owned by US Lime Company, a pit mining operation which creates large open pits in the ground to extract sand, clay, and other useful materials. These pits are an encumbrance to the future extension of streets through the property. A stub street from the subject site to the east would have no guarantee of being extended in the future. However, the designated east-west collector streets are at a reasonable spacing for local and regional circulation of traffic in the area, and at a distance not disproportionate to the requirements of the ordinance. The subject request is to maintain the existing $\pm 1,550$ intersection spacing (1,455' after widening) by providing no stub streets to the eastern GP boundary between Allison Rd and Fuqua St. This is a 10% deviation from the 1400' maximum intersection spacing requirement.

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

The proposed special exception will achieve a result contemplated by the standards of this chapter by utilizing the existing designated collectors as through-streets. The proposed distance is a 10%

deviation from the requirements for local streets.

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

The proposed modification is a 10% deviation from the standard and is therefore not disproportionate to the requirement.

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

The intent and general purposes of this chapter are preserved and maintained by the existing street network.

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

The granting of the special exception will not frustrate local traffic circulation and will remove the requirement for a stub street into a pit mining site, and it is therefore not injurious to the public health, safety, or welfare of the community.



CITY OF HOUSTON

Planning and Development

Sylvester Turner

Mayor

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

T. 832.393.6600
F. 832.393.6662
www.houstontx.gov

November 23, 2021

NOTICE OF VARIANCE

PROJECT NAME: Allison Park GP

REFERENCE NUMBER: 2021-2717

SP

Dear Property Owner:

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

Meta Planning + Design LLC, the applicant, has filed the request on behalf of the developer of the subject site. The applicant is requesting a special exception to allow an intersection spacing of 1545' between Allison Road and Fuqua Street. Enclosed are copies of the special exception request, 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. A sign with this information has also been posted on the project site. The Houston Planning Commission will hold a public meeting to consider this application.

PLANNING COMMISSION MEETING INFORMATION:

Thursday, December 2, 2021, beginning at 2:30 p.m.

City Hall Annex Building, 900 Bagby Street

City Council Chamber, Public Level, Houston, Texas

Members of the public may make comments or express concerns about the proposed project by either attending the meeting at City Council Chamber listed above or attending the meeting via Microsoft Teams at the time listed above. The Microsoft Teams meeting will allow for a two-way video/ audio communication with the Houston Planning Commission. **For instruction on how to join the Microsoft Teams meeting, interested persons are advised to check our website 72 hours prior to the Planning Commission meeting:** www.houstonplanning.com or Call: 832-393-6624.

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. 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 at least 24 hours in advance of the meeting to sign up to speak.

For additional information regarding this project, please call **Jennifer Curtis** with Meta Planning + Design LLC, at **281-895-2602**. You may also contact Muxian Fang with the Planning and Development Department regarding this notice via email at planning.variances@houston.tx.gov or call (832) 393-6574. 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

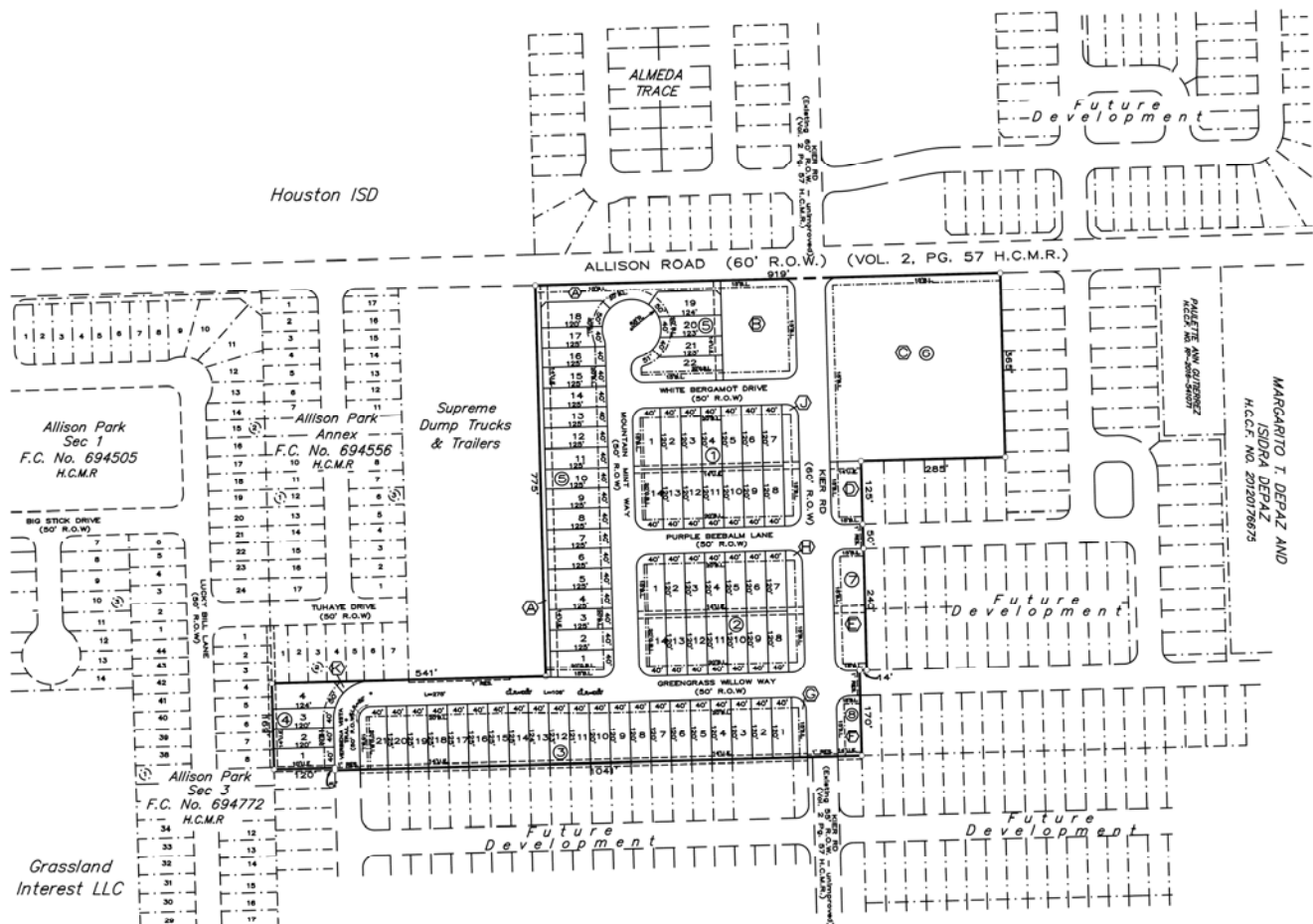
ITEM: 166

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Allison Park Sec 4

Applicant: Meta Planning + Design LLC



E – Special Exception

Subdivision

Houston Planning Commission

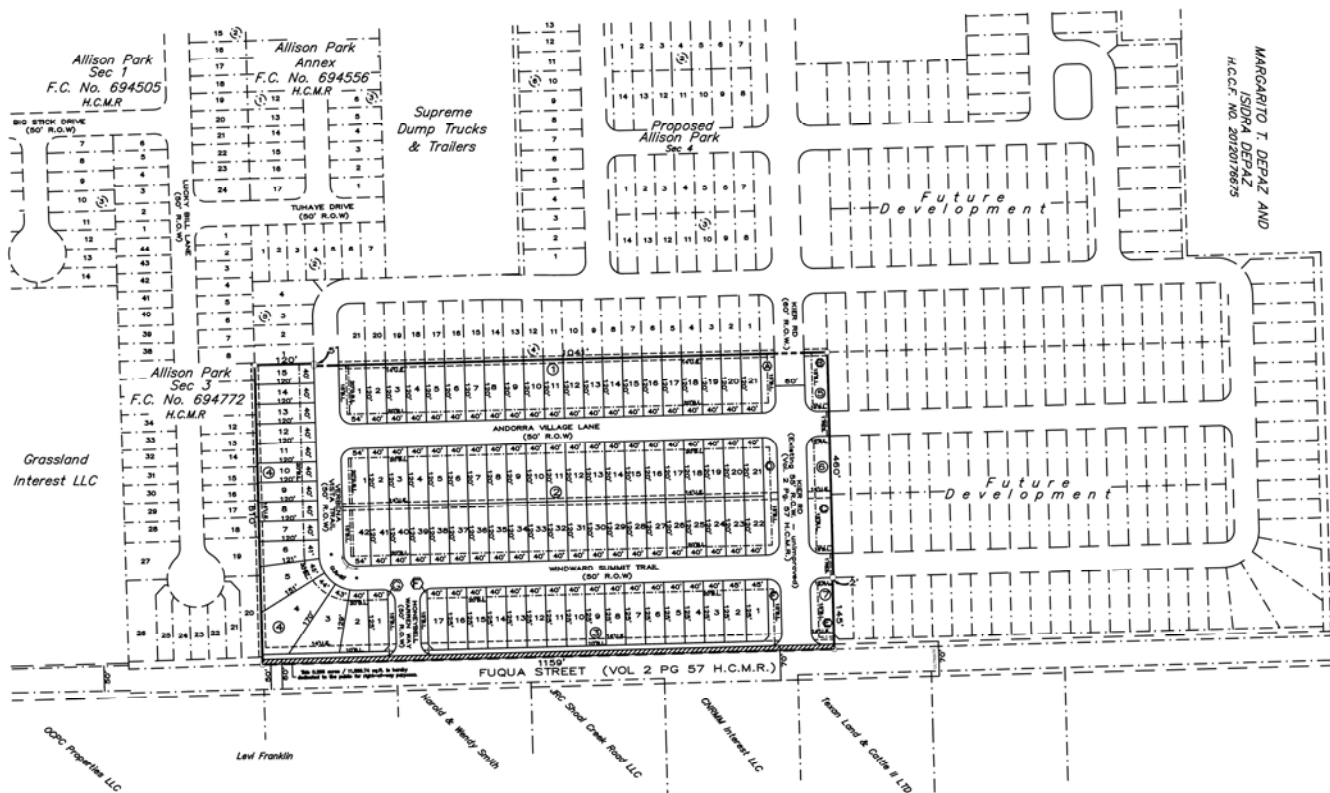
ITEM: 167

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Allison Park Sec 5

Applicant: Meta Planning + Design LLC



E – Special Exception

Subdivision

Houston Planning Commission

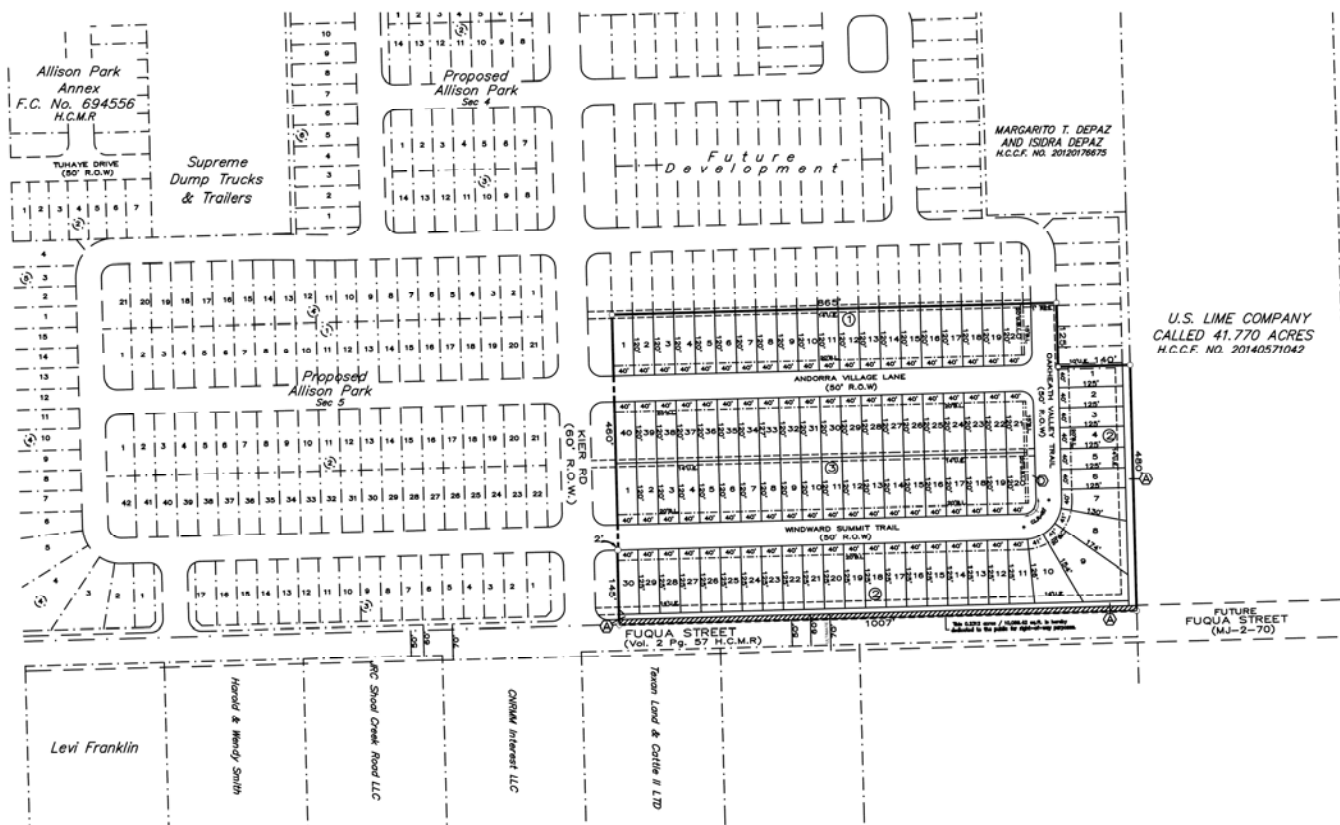
ITEM: 168

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Allison Park Sec 6

Applicant: Meta Planning + Design LLC



E – Special Exception

Subdivision

Houston Planning Commission

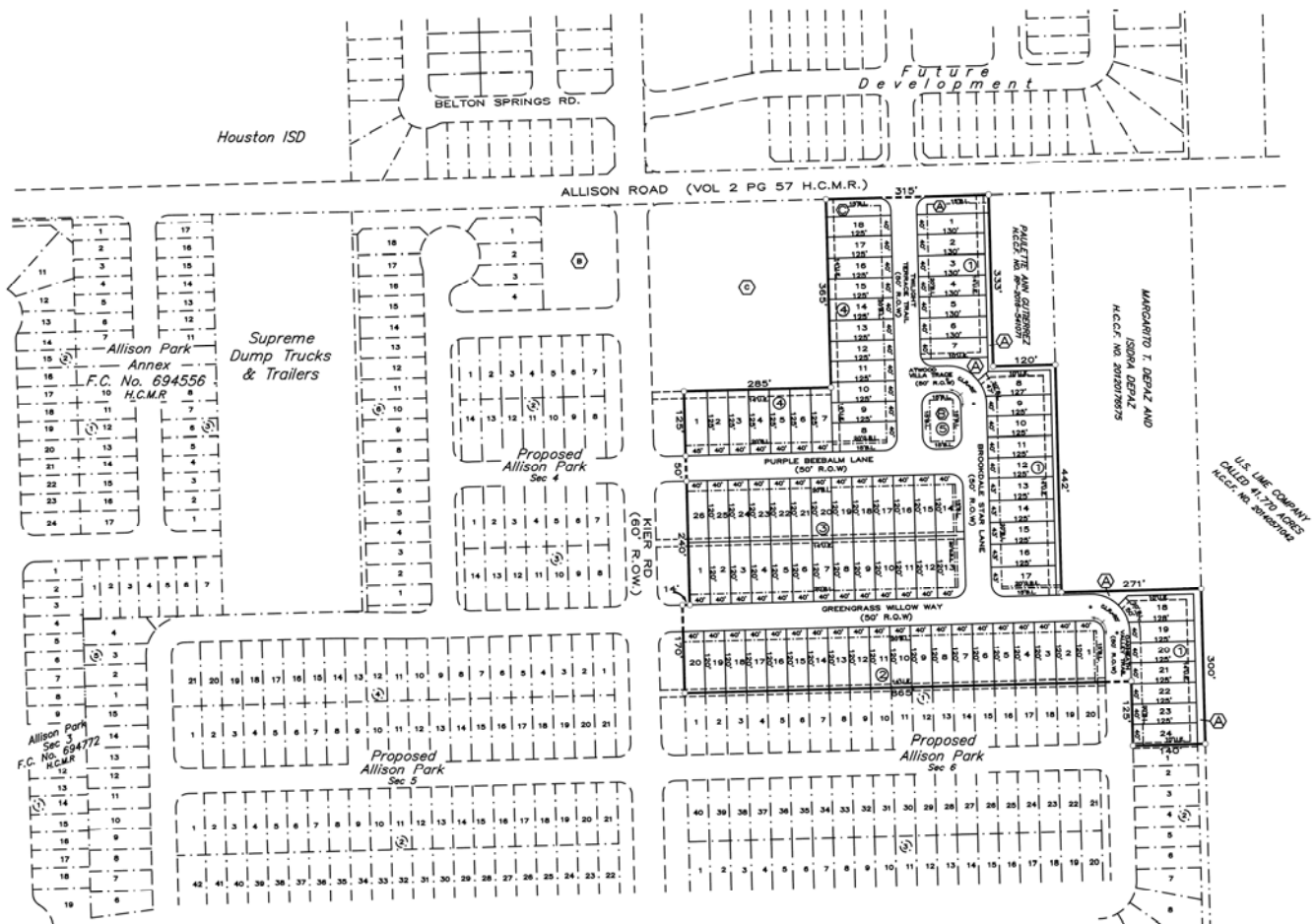
ITEM: 169

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Allison Park Sec 7

Applicant: Meta Planning + Design LLC



E – Special Exception

Subdivision

Houston Planning Commission

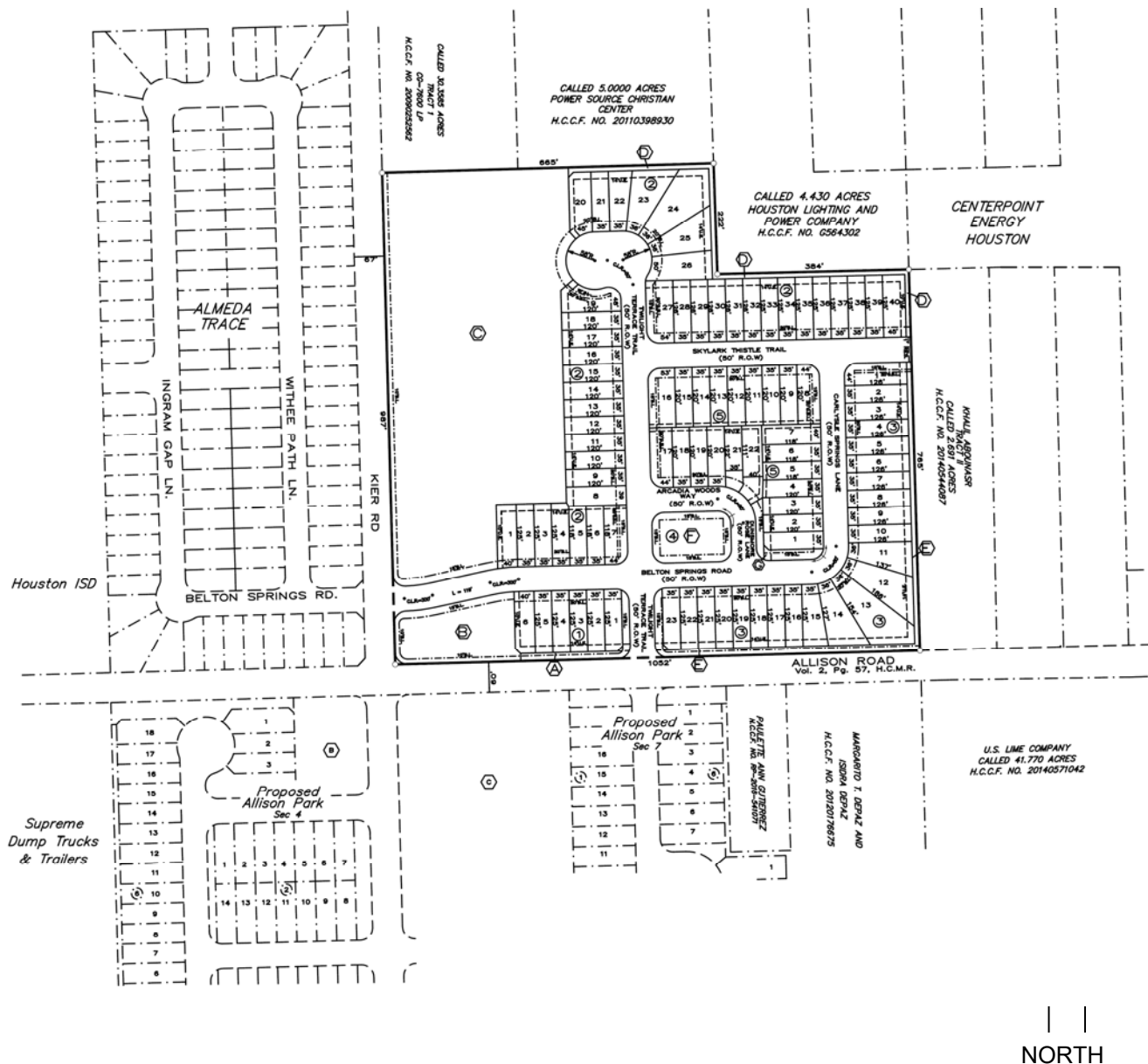
ITEM: 170

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Allison Park Sec 8

Applicant: Meta Planning + Design LLC



E – Special Exception

Subdivision

Houston Planning Commission

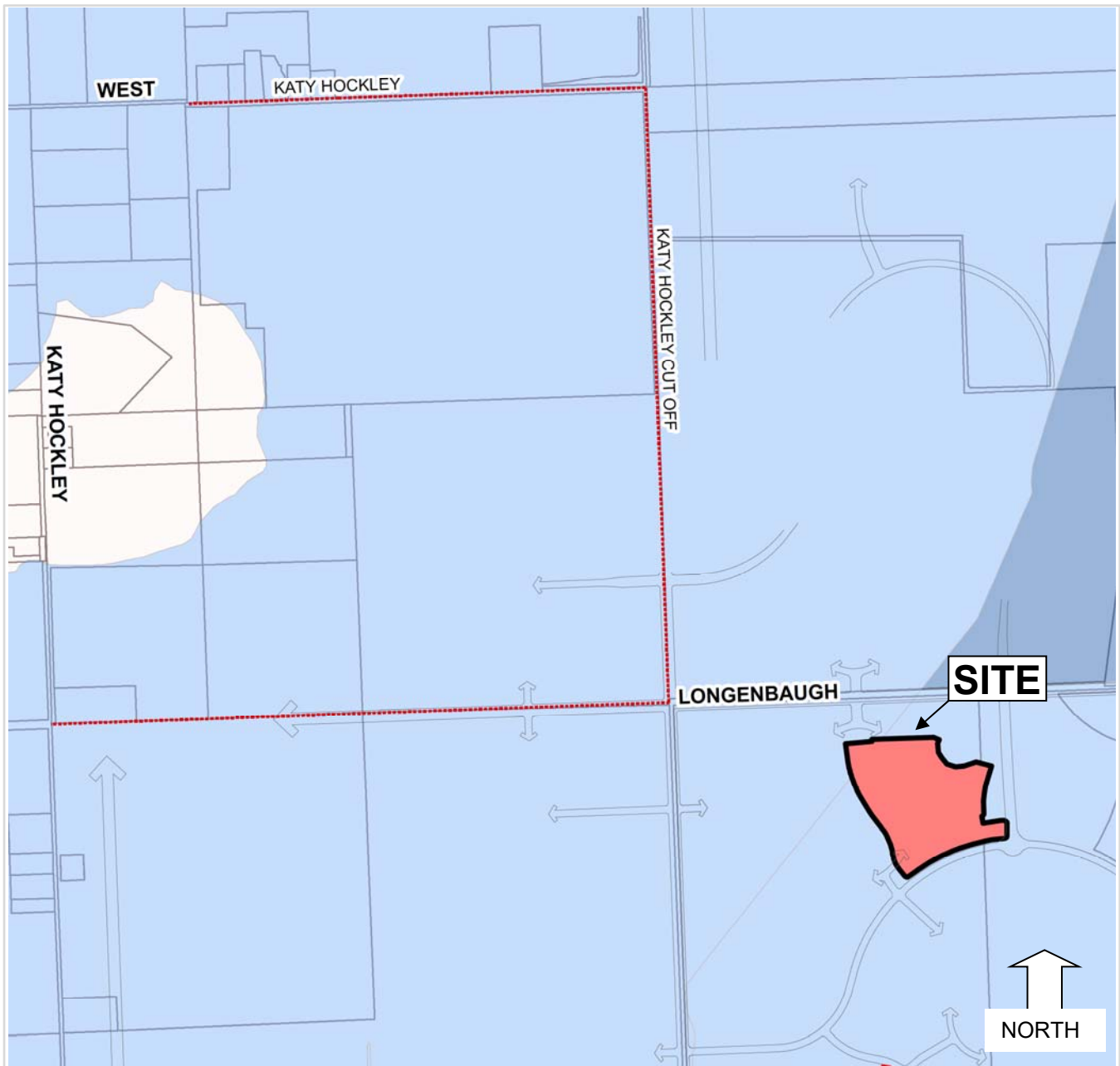
ITEM: 171

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Elyson Sec 53

Applicant: Meta Planning + Design LLC



E – Special Exceptions

Site Location

Houston Planning Commission

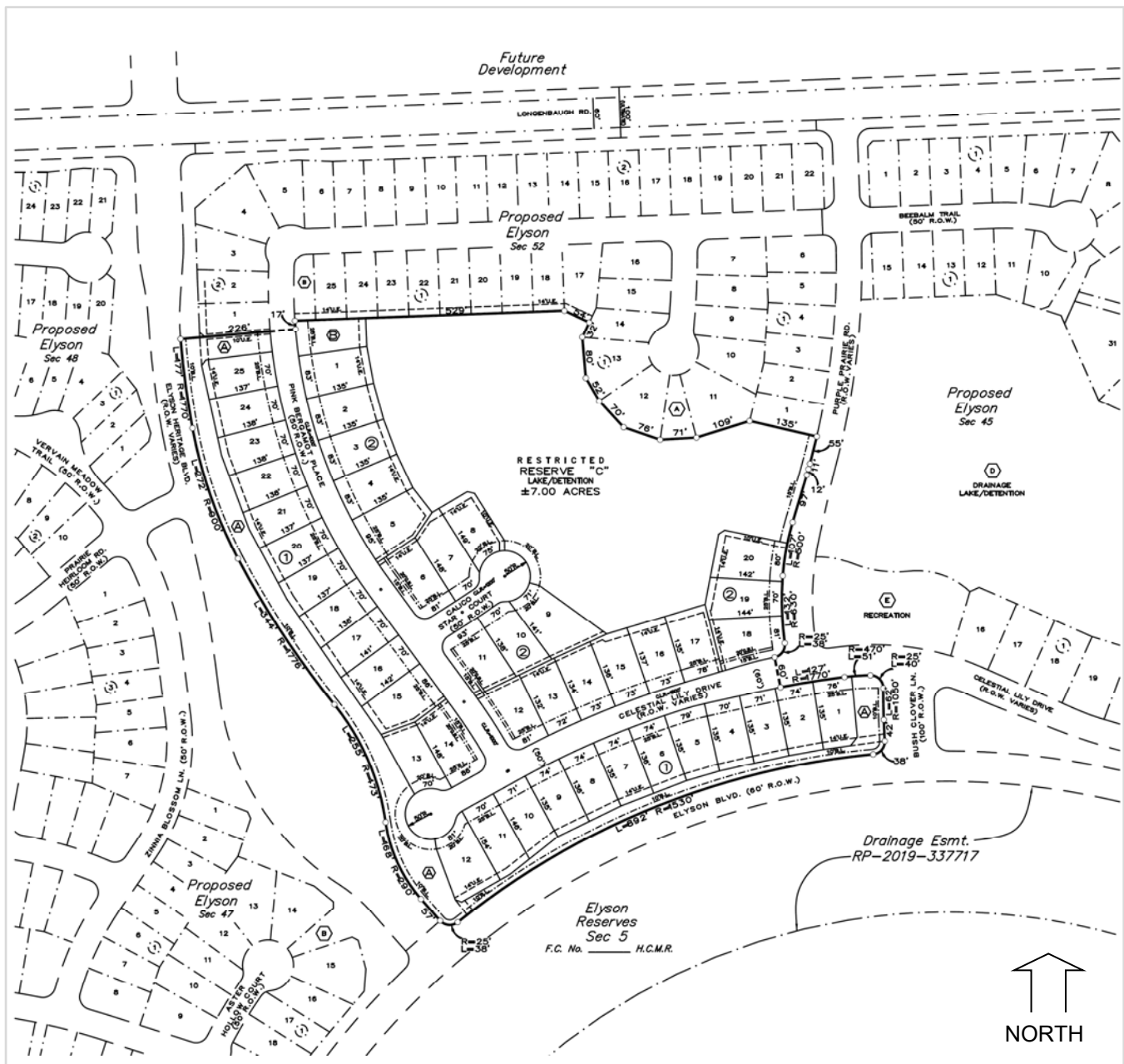
ITEM: 171

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Elyson Sec 53

Applicant: Meta Planning + Design LLC



E – Special Exceptions

Subdivision

Houston Planning Commission

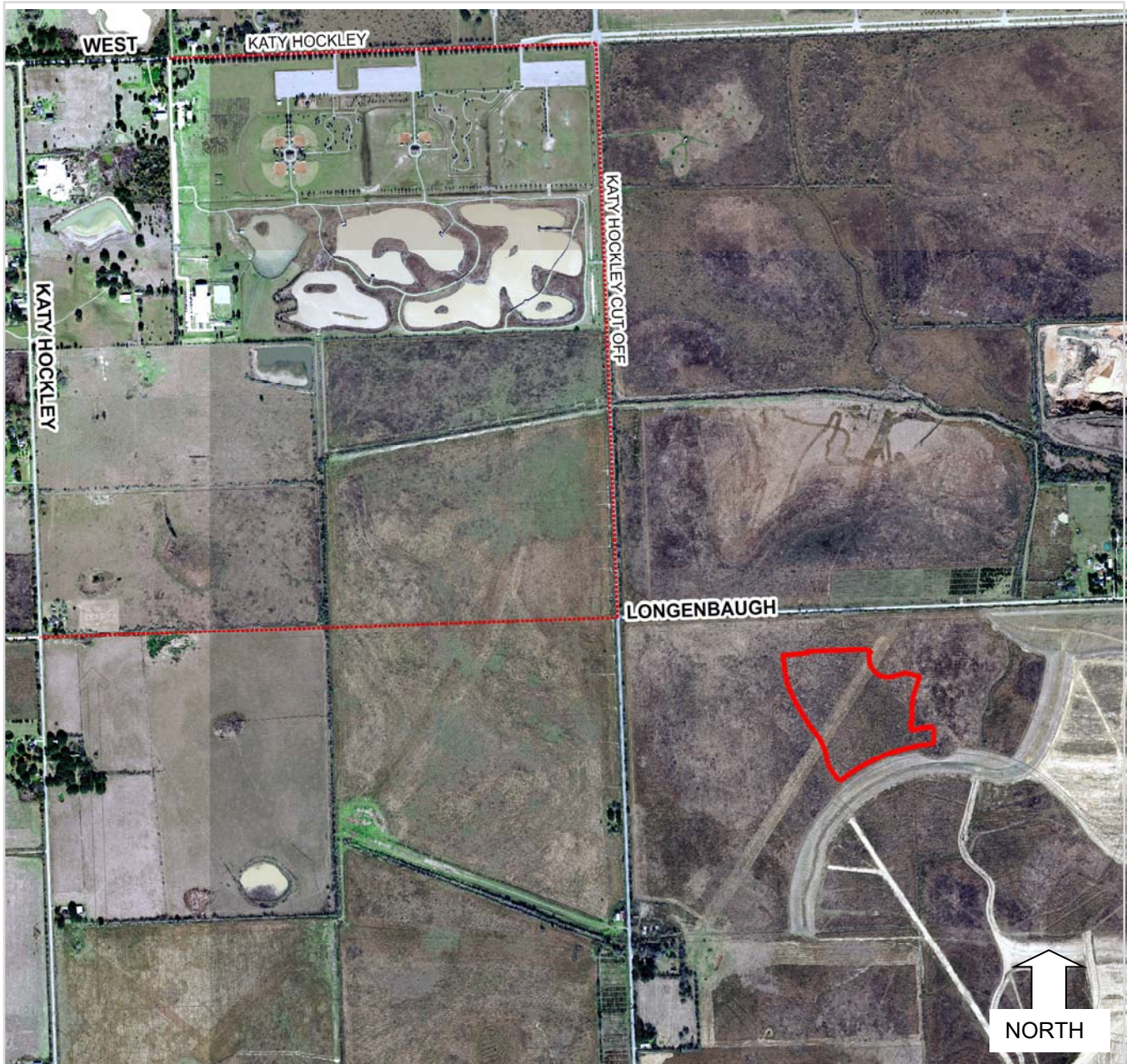
ITEM: 171

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Elyson Sec 53

Applicant: Meta Planning + Design LLC



E – Special Exceptions

Aerial



Application Number: 2021-2890

Plat Name: Elyson Sec 53

Applicant: Meta Planning + Design LLC

Date Submitted: 12/06/2021

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

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

Specific requirement for which the special exception is being sought:

To allow an excessive local street intersection spacing along the eastern side of Elyson Heritage Blvd, being $\pm 1,530'$ in a straight line or $\pm 1,690'$ measuring along the curved centerline between intersections.

Chapter 42 Section: 128

Chapter 42 Reference:

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

Statement of Facts

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

Elyson is an in-progress $\pm 3,560$ -acre master planned community located far west of central Houston and north of the City of Katy, west of the Grand Parkway (TX-99) and both north and south of FM 529, aka Freeman Road, a major thoroughfare. The area under discussion is located north of FM 529, west of major thoroughfare Porter Road, south of Longenbaugh Rd, and east of Katy-Hockley Cut-Off Road. The thoroughfares listed above create a one-mile thoroughfare grid across the entire Elyson community and beyond. Within this one-mile square, the developer proposes a collector street network consisting of several interconnected "unloaded" collector streets with no driveway access to individual lots. These streets efficiently direct traffic between separate residential cells and the surrounding thoroughfares. The ordinance recognizes collector streets as an alternative to local streets at the typical 1400' spacing. Other portions of the collector network within this square mile have already been recognized as meeting the requirements of 42-128(a)(2) or have been granted variances for quadrants which meet the intent if not the letter of the ordinance. The subject request is in a similar vein. Elyson Heritage Blvd is a proposed unloaded collector street which connects major thoroughfare Longenbaugh Rd to Elyson Blvd, the primary collector street traversing the Elyson community. At its narrowest, the gap between Elyson Blvd and Longenbaugh Rd is roughly $\pm 1,230'$. Along Elyson Heritage Blvd, the distance is $\pm 1,687'$ along the centerline, or as low as $\pm 1,530'$ if measuring in a straight line perpendicular across the block. The subject plat lies east of Elyson Heritage Blvd and proposes no street connections to the collector street along this distance. Elyson Harvest Blvd is contained completely within the Elyson General Plan and is not on the MTFP – it is a voluntary design feature proposed by the developer. The street is in keeping with the intent of Ch. 42-128(a)(2) for collector streets, and the proposed intersection spacing is not excessive for local streets even without the presence of a collector street network.

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

The subject site is part of a block bounded on all sides by existing thoroughfares and collector streets, which already provide ample local traffic circulation. The proposed collector street network fully preserves and maintains the intent and

general purposes of this chapter regarding local street and collector street networks and intersection spacing for suburban residential communities.

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

The proposed modification of 1,690' is a 21% deviation from the standard 1400' for local streets.

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

The intent and general purposes of this chapter are preserved and maintained by the existing and proposed street network, and will not be damaged by the granting of this special exception.

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

The granting of the special exception will not frustrate local traffic circulation and will allow the continuation of a collector street that provides a hierarchy of traffic circulation to the community, which is not injurious to the public health, safety, or welfare.

Houston Planning Commission

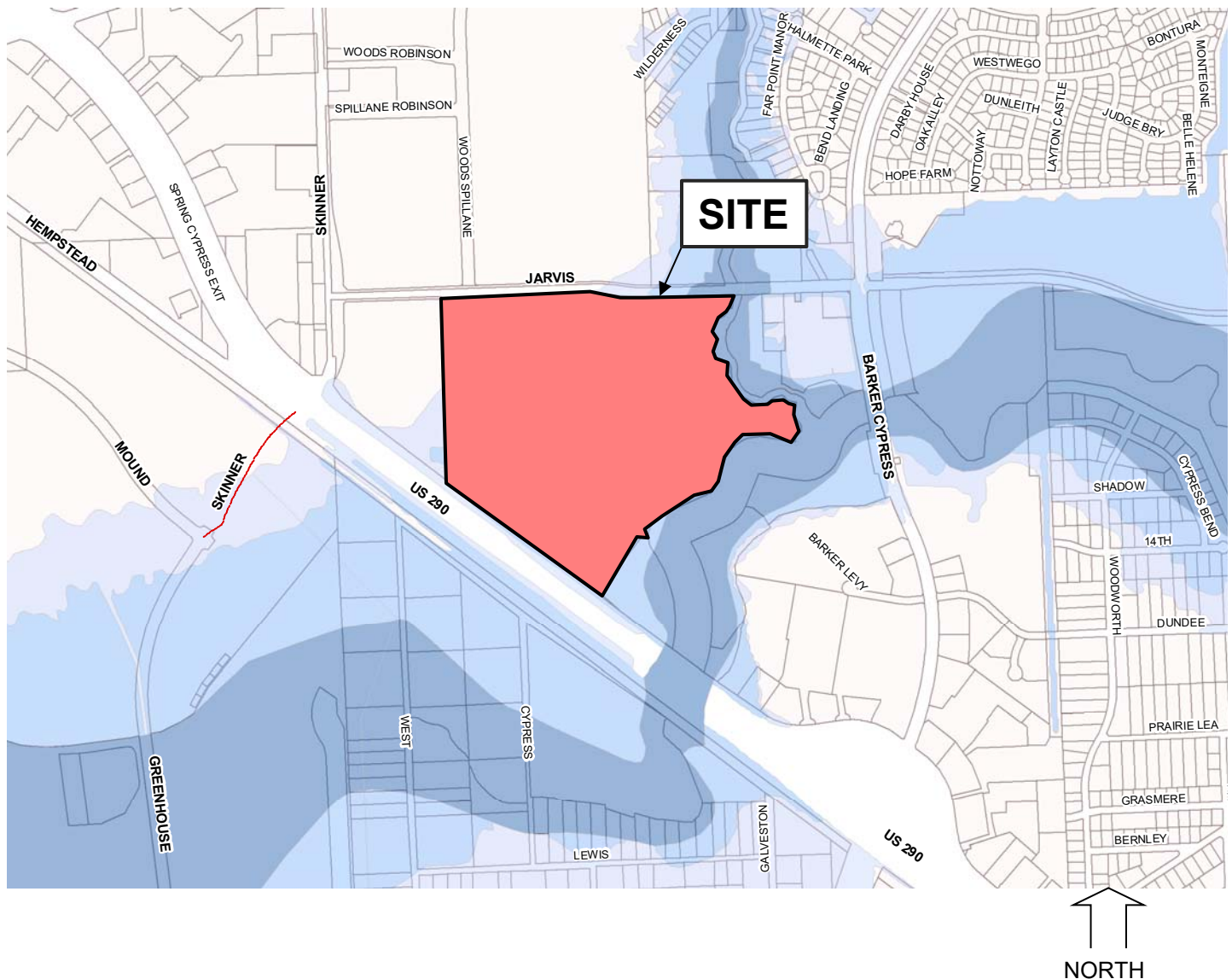
ITEM: 172

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Houston Methodist Cypress Hospital (DEF 1)

Applicant: Kuo & Associates, Inc



F- Reconsideration of Requirements

Site Location

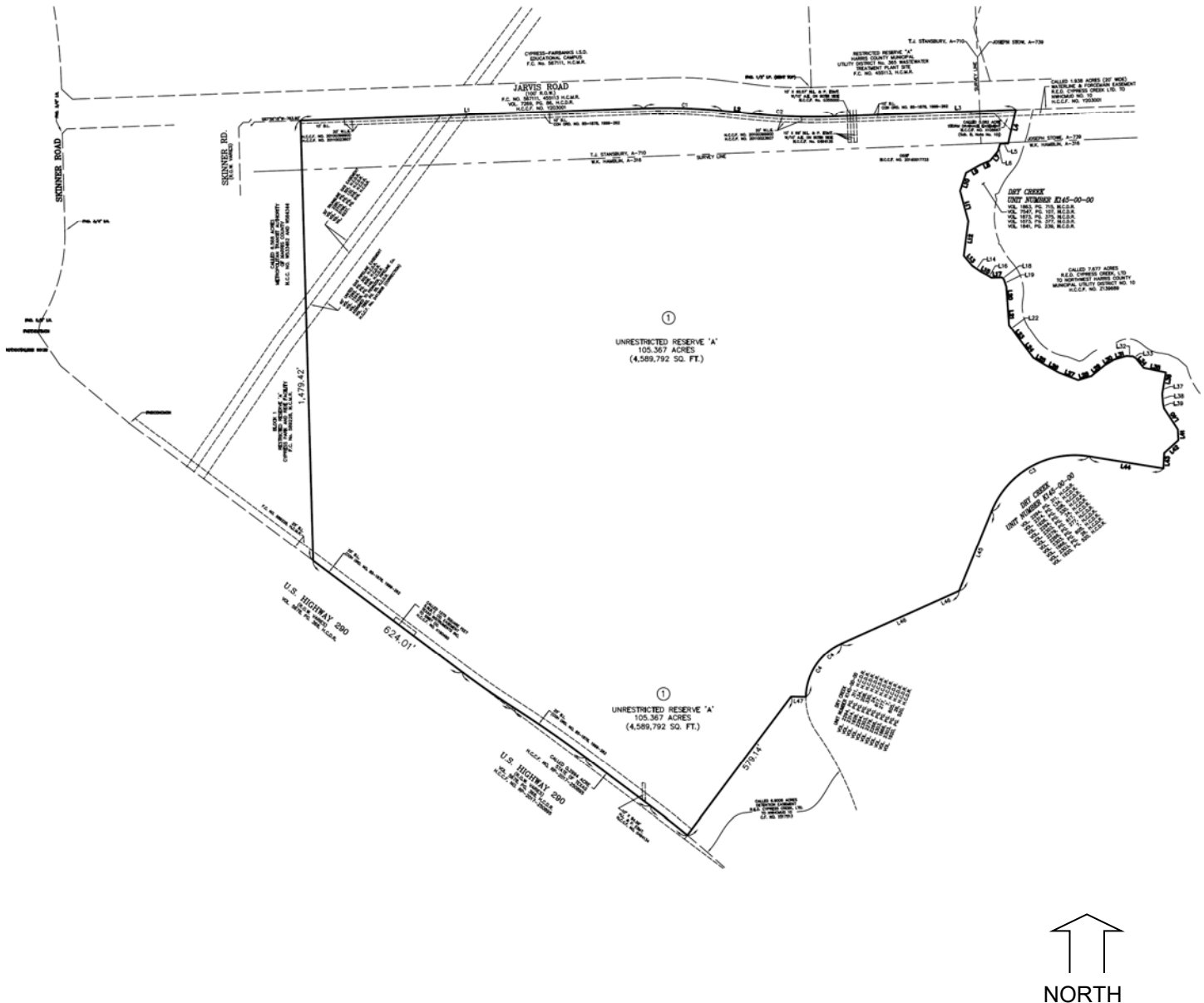
Planning and Development Department

ITEM: 172

Meeting Date: 12/16/2021

Subdivision Name: Houston Methodist Cypress Hospital (DEF 1)

Applicant: Kuo & Associates, Inc



F- Reconsideration of Requirements

Subdivision

Houston Planning Commission

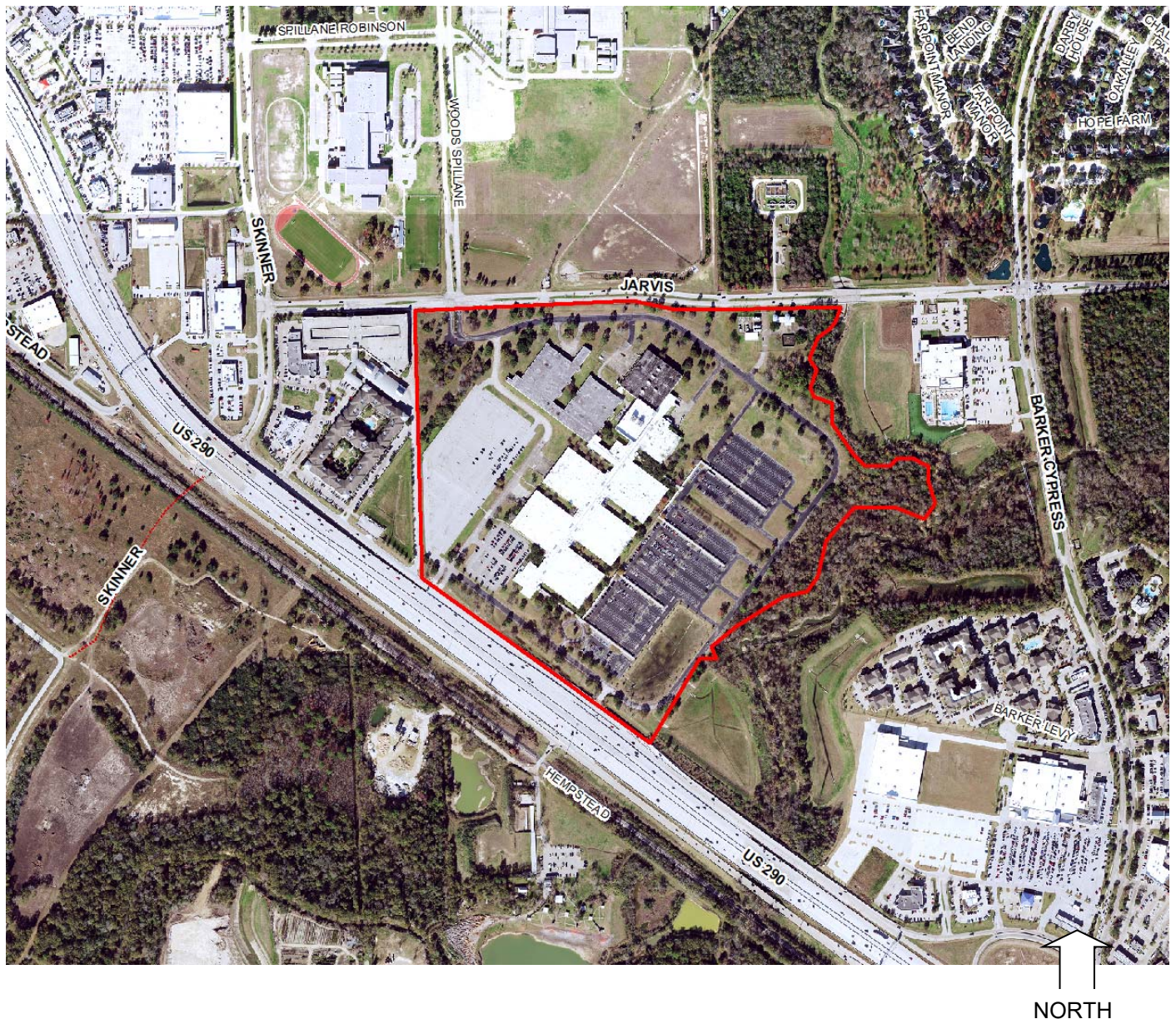
ITEM: 172

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Houston Methodist Cypress Hospital (DEF 1)

Applicant: Kuo & Associates, Inc



F- Reconsideration of Requirements

Aerial

Houston Methodist Cypress Hospital
MASTERPLAN | Proposed Phase 1

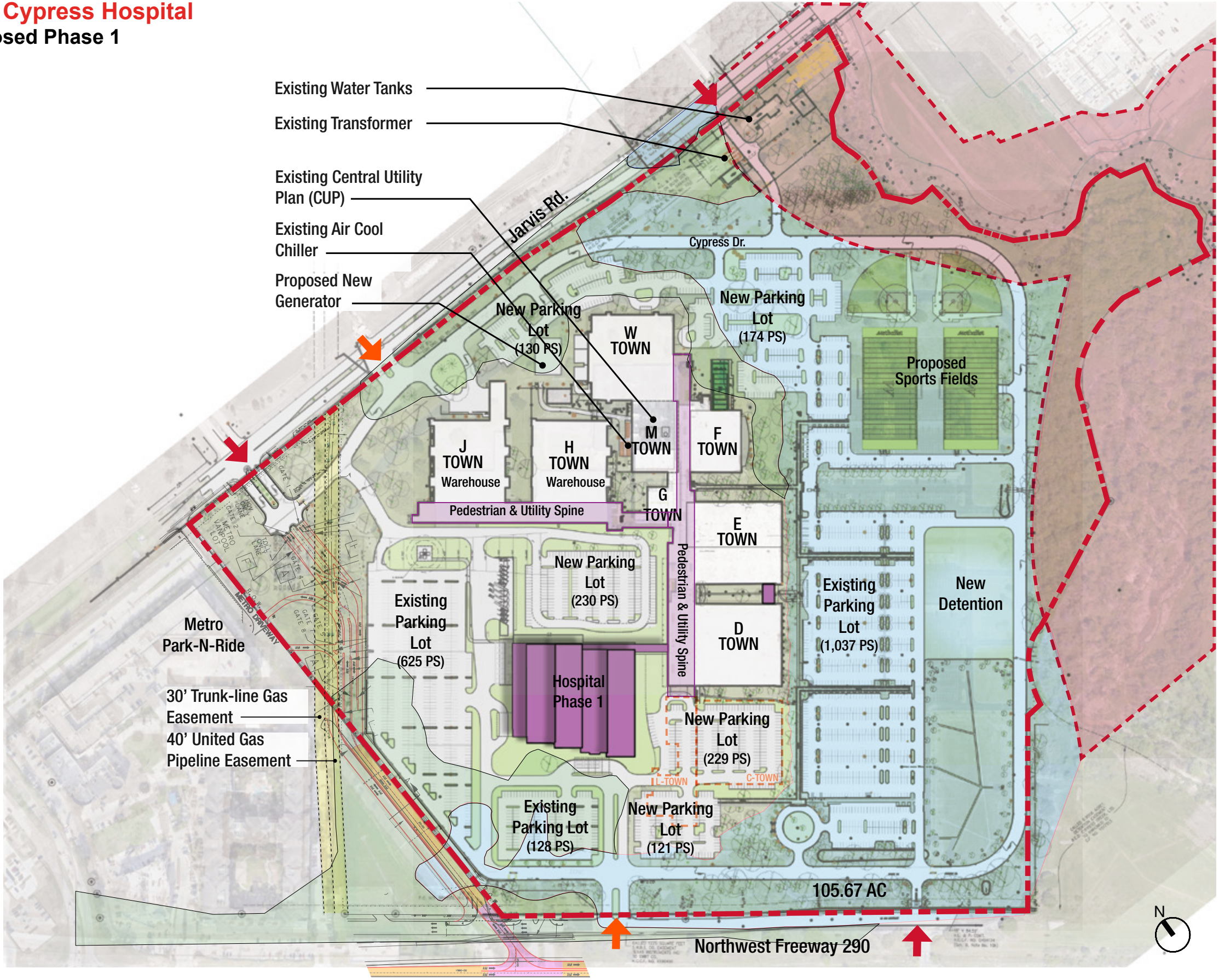
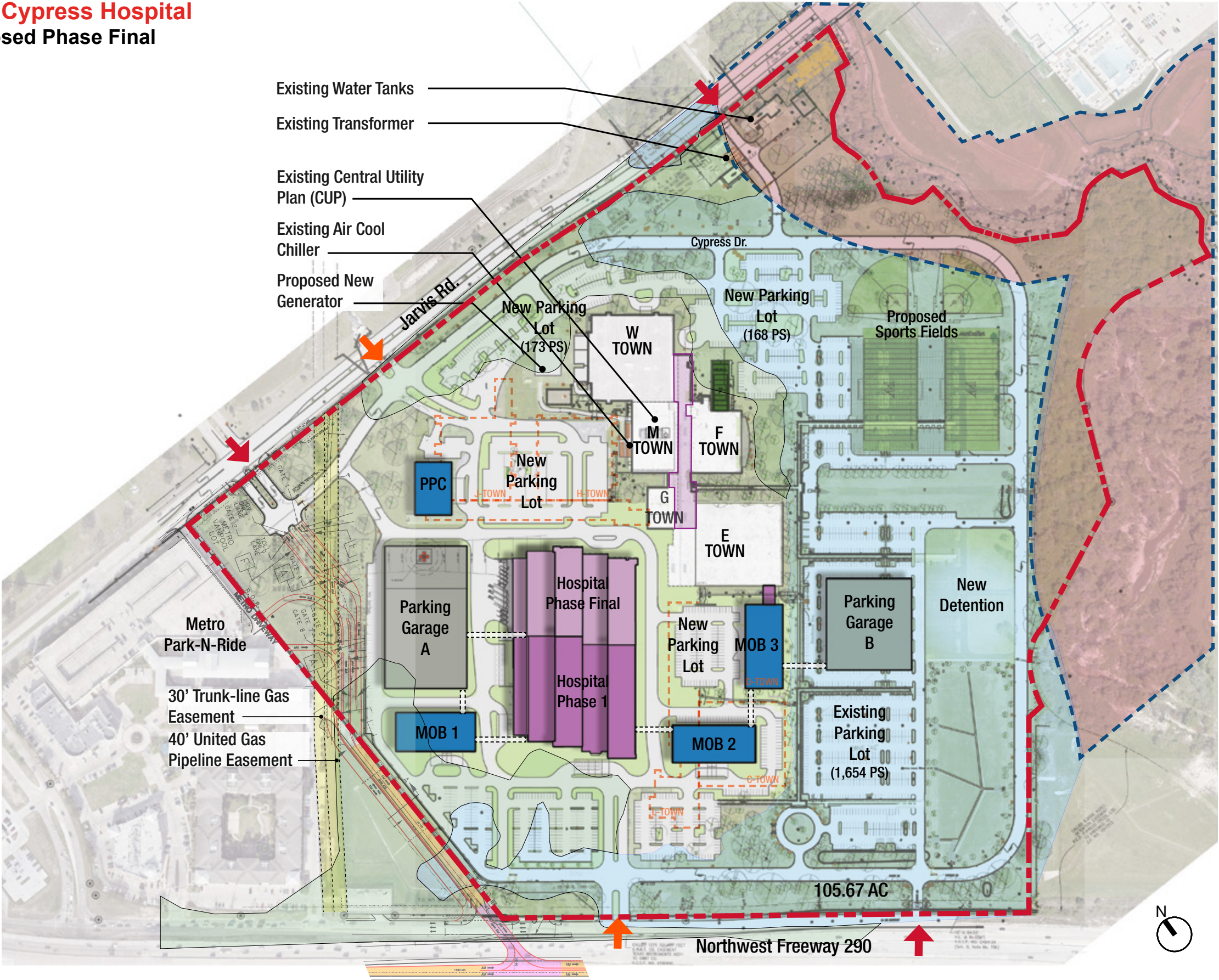


EXHIBIT A

Houston Methodist Cypress Hospital
MASTERPLAN | Proposed Phase Final





**PLANNING &
DEVELOPMENT
DEPARTMENT**

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

Application No: 2021-2823
Plat Name: Houston Methodist Cypress Hospital
Applicant: Kuo & Associates, Inc
Date Submitted: 11/22/2021

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

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

Specific requirement or condition being sought:

We are seeking a variance address 2,600 feet intersection spacing along major thoroughfares Jarvis Road and US Hwy 290.

Chapter 42 Section: 127

Chapter 42 Reference:

Intersections of major thoroughfares.

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

STATEMENT OF FACTS:

Dedicating the street right-of-way will affect the development by eliminating necessary buildings/parking spaces that serve the proposed Hospital. The dedication of right of way would also require the demolition of existing buildings on the site that are intended to be used as part of the proposed hospital and would require the removal of existing utilities that are intended to serve the proposed hospital. See attached EXHIBIT A for a site plan on proposed hospital campus. The Methodist Cypress proposed plat needs all the square footage within the plat to accommodate all buildings and facilities including internal roads, parking, utilities, etc. given other restrictions imposed on the site for full development due to already existing constraints on site for presence of an HCFCD maintained natural creek (Dry Creek) with floodplain and floodway, a pipeline corridor with high pressure gas line, Highway (US 290), a Cypress IDS Highschool campus, etc. See attached EXHIBIT B for better understanding these constraints.



PLANNING & DEVELOPMENT DEPARTMENT

APPLICANT'S Variance Request Form

Application Number: 2021-2823

Plat Name: Houston Methodist Cypress Hospital

Applicant: Kuo & Associates, Inc

Date Submitted: 11/22/2021

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 block length greater than 2600' along major thoroughfares Jarvis Road and US Hwy 290.

Chapter 42 Section: 127

Chapter 42 Reference:

Intersections of major thoroughfares.

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;

Dedicating the street right-of-way will affect the development by eliminating necessary buildings/parking spaces that serve the proposed Hospital. The dedication of right of way would also require the demolition of existing buildings on the site that are intended to be used as part of the proposed hospital and would require the removal of existing utilities that are intended to serve the proposed hospital. See attached EXHIBIT A for a site plan on proposed hospital campus. The Methodist Cypress proposed plat needs all the square footage within the plat to accommodate all buildings and facilities including internal roads, parking, utilities, etc. given other restrictions imposed on the site for full development due to already existing constraints on site for presence of an HCFCD maintained natural creek (Dry Creek) with floodplain and floodway, a pipeline corridor with high pressure gas line, Highway (US 290), a Cypress IDS Highschool campus, etc. See attached EXHIBIT B for better understanding these constraints.

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

The circumstances supporting the granting of the variance are not result of a hardship created or imposed by the applicant, rather it is more to uphold the goals and benefits of Chapter 42. For instance, due to the unique existing conditions/configuration for the block surrounded by Skinner, Jarvis, US 290 and Barker Cypress streets (See EXHIBIT B), granting variance for dedication of street right-of-way appears not to deter/impact traffic circulation. In the same way, dedicating a new roadway would not improve traffic circulation or access. The reasons for such are stated below:

- Significant portion of the block (500' to 1500' wide, more or less 25% of total area) is occupied by the meandering Dry Creek and associated floodway and flood plain, which limits any future improvement within that area that may need access to additional roads
- The existing creek divides the block in north-south direction, and so development on east side of the creek will not be benefited by an additional road in the north-south direction within the plat boundary on west side of the creek for remote possibility of any cross streets in east-west direction across the floodway/floodplain area.
- All other developments except the subject plat within the block are located primarily at the intersection of two major thoroughfares and have adequate access to these roads. Therefore need for an additional public road within the campus for usages by these existing developments appear to be redundant
- Along Jarvis, the subject plat and a high school have frontage of ~60% or more for the entire block length, and the existing Dry Creek floodway covers ~15% of existing block length, leaving the remaining frontage to the existing developments located at the intersection of two major thoroughfares on the corners of the block. Similar frontage allocation is observed along the US 290 block face. Therefore, any additional street does not provide any additional benefits to the other improvements within the block
- Any proposed

road within the subject plat boundary will be limited in its expansion in both the south and north direction due to the existence of a high school campus, utility treatment plant, and residential subdivisions to the north of the plat and the existence of Highway 290 to the south. Therefore, the extension of a roadway through the plat would not likely promote traffic movement within the area for added time and cost. • A new roadway through the subject plat may encourage through-traffic that would be constricted at both the Jarvis and 290 intersections due to no roadway continuation in the north-south direction. This may hinder emergency services access to the hospital. • A high-pressure pipeline corridor runs diagonally across the plat in the north-south direction. Any new road will interfere with the existing pipeline corridor and thereby will increase potential for public hazard. Considering above site's inherent limitations, pursuing a costly and time-consuming effort for dedication and construction of a new roadway appears not to be adequately beneficial or feasible to serve the purpose of this chapter.

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

The intent and general purpose of this Chapter will be preserved and maintained as the variance would not be threatening to public health and safety. Rather, the variance would be promoting public welfare and community health by allowing the construction of a hospital to provide health related services. Moreover, the variance would not impact traffic conditions or circulation due to the unique configuration of the adjoining streets as described under item 2 above.

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

The public health and welfare are unrelated to the prevention of the street right-of-way dedication. Rather, the health and safety of the public would be benefited from developing the hospital campus within the entire plat boundary instead of dividing the campus with a public road. This variance would contribute to public welfare by maximizing health related development without losing land to a public road and discouraging thru traffic within a critical facility. The granting of a variance would also prevent any potential roadway hazards due to the existing high-pressure pipelines, and as well would reduce flood impact by not requiring an increase of impervious area or conflict with the Dry Creek floodplain.

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

Economic hardship is not the justification of the variance. The use of the property is for a non-profitable organization. The justification of the variance is the need of square footage to accommodate health related facilities that serve patients and the community with a development that is not invasive to the environment, and to not hinder emergency access to those facilities. The variance is being sought by a non-profit organization to develop a hospital campus to serve health and welfare for the community rather than a development seeking economic gain.

Houston Planning Commission

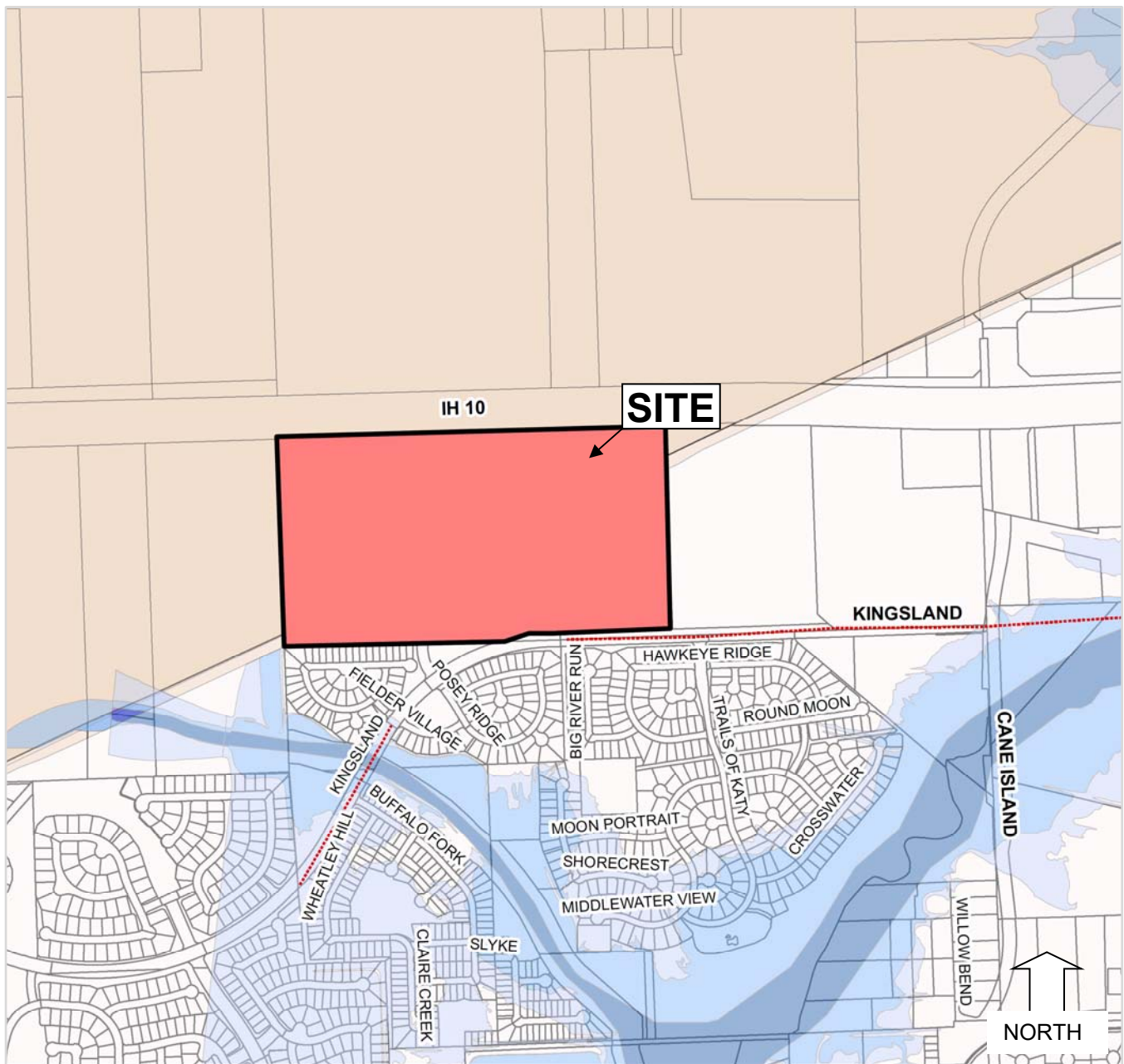
ITEM: 173

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Park at Anserra GP

Applicant: Jones | Carter



F – Reconsideration of Requirements Site Location

Houston Planning Commission

ITEM: 173

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Park at Anserra GP

Applicant: Jones | Carter



F – Reconsideration of Requirements Subdivision

Houston Planning Commission

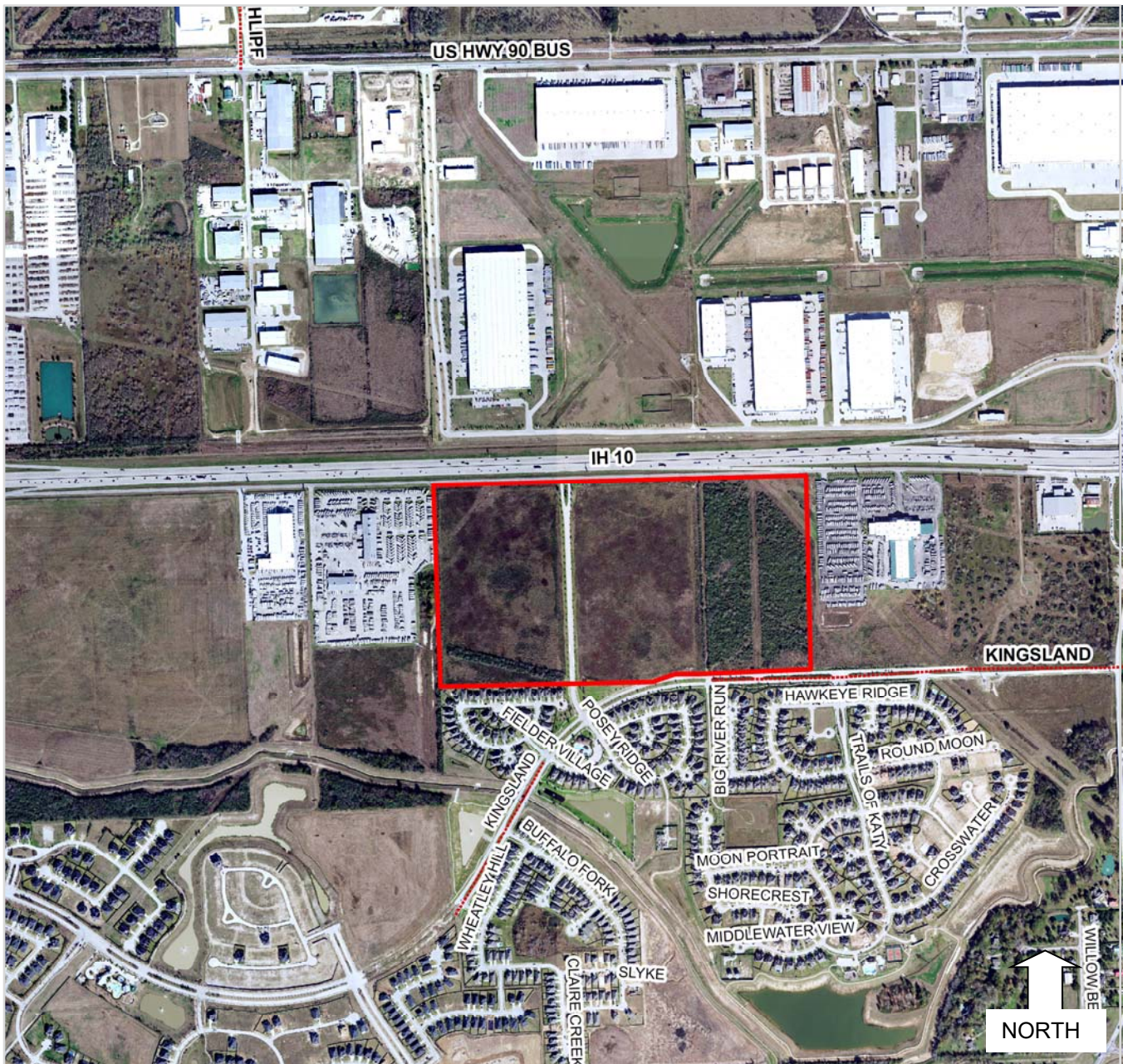
ITEM: 173

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Park at Anserra GP

Applicant: Jones | Carter



F – Reconsideration of Requirements

Aerial



Application No: 2021-2911
Plat Name: Park At Anserra GP
Applicant: Jones | Carter
Date Submitted: 12/06/2021

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

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

Specific requirement or condition being sought:

To exceed 1,400' intersection spacing along Anserra Trail from Interstate 10 to Kingsland Boulevard by not providing and east west public streets.

Chapter 42 Section: Sec. 42-128.

Chapter 42 Reference:

(a)Each class III plat and each general plan that shows local streets shall provide for internal circulation by meeting either of the following requirements: (1)Each local street shall intersect with a street that meets the requirements of subsection (b) at least every 1,400 feet;

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

STATEMENT OF FACTS:

Requesting Special Exception per attached special exception form.



Application Number: 2021-2911

Plat Name: Park At Anserra GP

Applicant: Jones | Carter

Date Submitted: 12/06/2021

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

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

Specific requirement for which the special exception is being sought:

To exceed 1,400' intersection spacing along Anserra Trail from Interstate 10 to Kingsland Boulevard by not providing and east west public streets.

Chapter 42 Section: 42-128

Chapter 42 Reference:

(a)Each class III plat and each general plan that shows local streets shall provide for internal circulation by meeting either of the following requirements: (1)Each local street shall intersect with a street that meets the requirements of subsection (b) at least every 1,400 feet;

Statement of Facts

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

The Anserra Trail ROW exists as an 1,810' designated major collector between Interstate 10 and designated major thoroughfare Kingsland Boulevard. Requiring east-west public streets along this collector would be infeasible as existing development –recreational vehicle sales operations exists along the GP's eastern and western boundaries and do not provide any public street connections. These large scale commercial developments have adequate frontage and access along the I10 frontage road.

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

Development within the proposed GP is proposed as commercial and retail use with access to I-10 frontage road and Anserra Trail, while internal access will be provide by a network of non-exclusive reciprocal access easements. Providing east-west public streets will be infeasible as they will not extend beyond the GP's boundaries due to existing commercial development. The existing network

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

Intersection spacing along Anserra Trail between Interstate 10 and Kingsland Boulevard is an 1,810' which represents a modification of 29% of the standard.

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

Property within the GP boundary is proposed for commercial/ retail, non-residential use and will have access to I-10 frontage road and Anserra Trail, with internal circulation via non-exclusive reciprocal access easements. Requiring east west public street will not improve traffic circulation in the immediate area. Further, existing commercial development to the east and west do not provide for any east west public street connections.

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

The existing street network in the area adequately addresses traffic circulation and distribution. Existing developments east and west of the proposed GP – Camping World of Katy, Holiday World of Katy and Ron Hoover RV & Marine have adequate frontage and access along the I10 frontage road and do not provide for any east west public street connections.

Houston Planning Commission

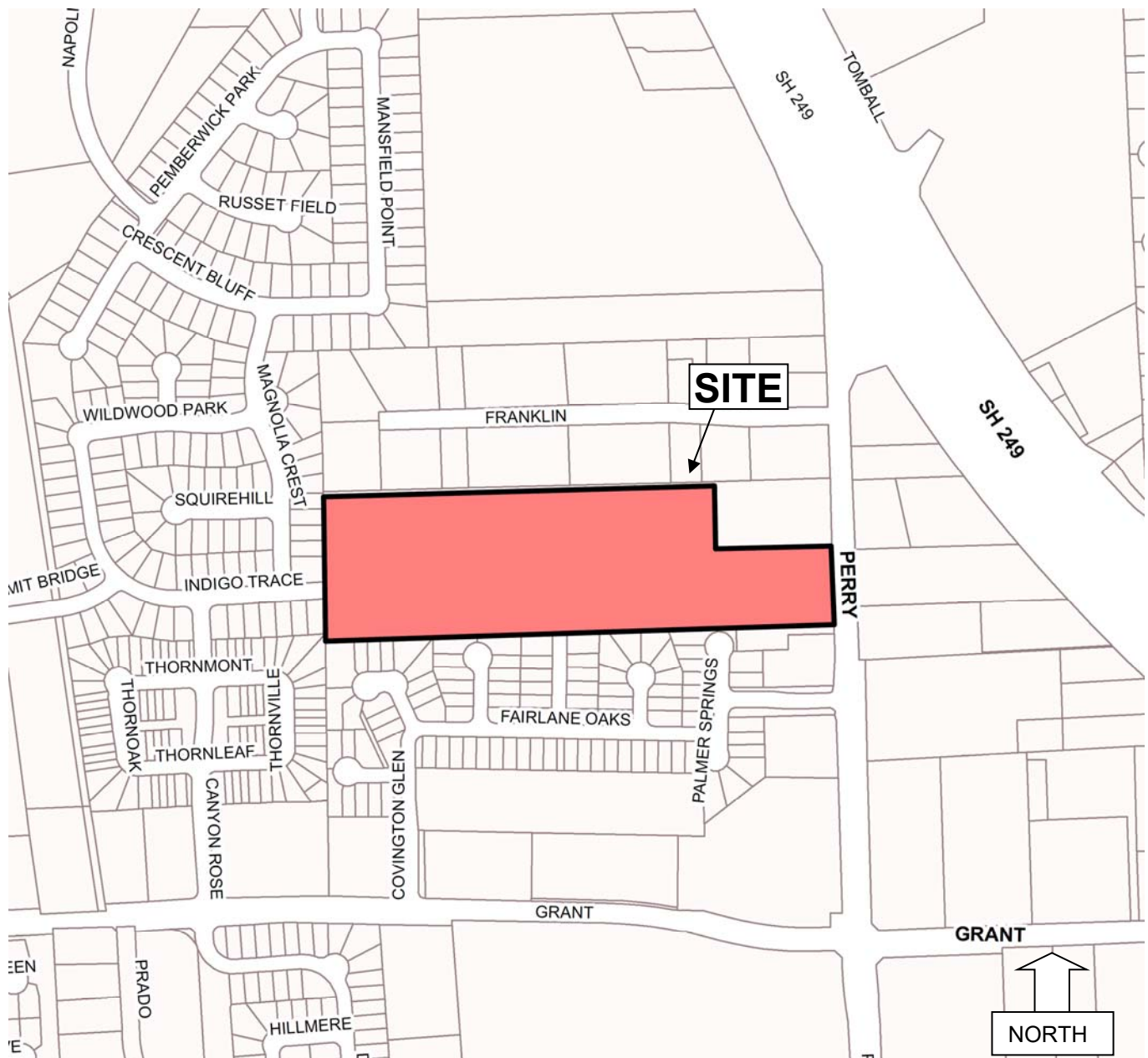
ITEM: 174

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Perry Road Development

Applicant: Windrose



F – Reconsideration of Requirements Site Location

Houston Planning Commission

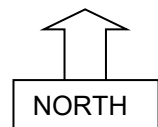
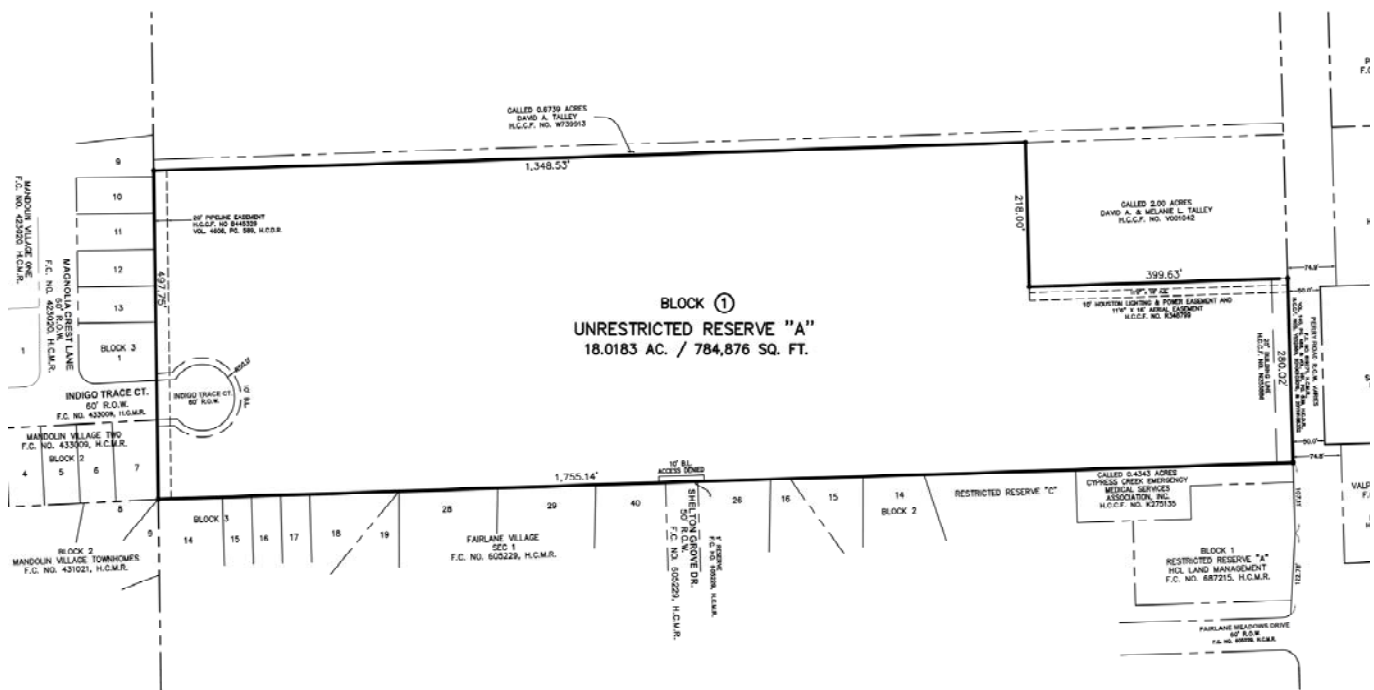
ITEM: 174

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Perry Road Development

Applicant: Windrose



F – Reconsideration of Requirements Subdivision

Houston Planning Commission

ITEM: 174

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Perry Road Development

Applicant: Windrose



F – Reconsideration of Requirements

Aerial



Application No: 2021-2922
Plat Name: Perry Road Development
Applicant: Windrose
Date Submitted: 12/06/2021

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

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

Specific requirement or condition being sought:

To not extend or provide a public street cul-de-sac at the terminus of Shelton Grove Drive, and to not extend Indigo Trace to intersect with Shelton Grove

Chapter 42 Section: 128, 134

Chapter 42 Reference:

Sec. 42-128 "Intersection of Local Streets" paragraph (a) states that: (a) Each class III plat and each general plan that shows local streets shall provide for internal circulation by meeting either of the following requirements: (1) Each local street shall intersect with a street that meets the requirements of subsection (b) at least every 1,400 feet; or (2) One or more collector streets within the class III plat or general plan shall connect with another collector street or major thoroughfare at a minimum of two points. Sec. 42-134 "Street extension" paragraph (a) states that: (a) A public street that terminates at the boundary of a plat previously approved by the commission without means of a vehicular turnaround shall be extended into the adjacent property at the time the adjacent property is platted.

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

STATEMENT OF FACTS:

See Variance Form



Application Number: 2021-2922

Plat Name: Perry Road Development

Applicant: Windrose

Date Submitted: 12/06/2021

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

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

Specific Variance is being sought and extent of variance:

To not extend or provide a public street cul-de-sac at the terminus of Shelton Grove Drive, and to not extend Indigo Trace to intersect with Shelton Grove

Chapter 42 Section: 128, 134

Chapter 42 Reference:

Sec. 42-128 "Intersection of Local Streets" paragraph (a) states that: (a) Each class III plat and each general plan that shows local streets shall provide for internal circulation by meeting either of the following requirements: (1) Each local street shall intersect with a street that meets the requirements of subsection (b) at least every 1,400 feet; or (2) One or more collector streets within the class III plat or general plan shall connect with another collector street or major thoroughfare at a minimum of two points. Sec. 42-134 "Street extension" paragraph (a) states that: (a) A public street that terminates at the boundary of a plat previously approved by the commission without means of a vehicular turnaround shall be extended into the adjacent property at the time the adjacent property is platted.

Statement of Facts

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

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

The proposed plat consists of approximately 18 acres located on the west side of Perry Road approximately 970 feet south of the Tomball Parkway (SH 249). The applicant desires to construct a multifamily complex consisting of eleven residential buildings, a club house, storm water detention, and various drive aisles and parking areas with sole resident access from Perry Road. There are two roadways that currently terminate along the subject tract's boundary - Indigo Trace Court to the west and Shelton Grove Drive to the south. The applicant is proposing to extend Indigo Tract Court into the site as a public right-of-way to provide emergency vehicle access only to the multifamily complex. The applicant is requesting a variance from Section 42-128 (Intersection of Local Streets) and Section 42-134 (Street Extension) of the City's Code of Ordinances to leave Shelton Grove Drive as it currently exists, without an extension or turnaround, and to not extend Indigo Trace Court to connect with Shelton Grove. A variance was granted by the Planning Commission to not extend or terminate Shelton Grove Drive with a cul-de-sac subject to specific conditions on 07/22/2021 (Plat Reference No. 2021-1463). The variance approval was contingent on the proposed land use, which was an unrestricted reserve with intended multifamily development. The condition that has changed for this current application is that the multifamily use will now apply to the full 18 acres of the parcel. The multifamily development will have only emergency access to Indigo Trace Court and will be denied access to Shelton Grove Drive. The justification for the request is the need to protect the health, safety, and welfare of the surrounding single-family residential areas. Extending Shelton Grove Drive or providing a turnaround on the applicant's property, and extending Indigo Trace Court, will have harmful effects (i.e., increased congestion, noise, etc.) on area residents while providing no tangible benefit to traffic mobility.

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

The subject site is extremely viable for multifamily residential use. There are no use restrictions, and the property has excellent access to the Tomball Parkway via Perry Road. However, if Shelton Grove Drive was extended through the site or terminated in a public cul-de-sac, or if Indigo Trace Court was extended to connect with Shelton Grove Drive, the neighborhoods in the area would suffer an increase in congestion, noise, pollution and suffer a reduction in overall mobility and safety.

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

By granting the variances, the City will enable the applicant to achieve the highest and best use of the land while mitigating the negative impacts of the multifamily development on the surrounding single-family areas. Extending Indigo Trace Court into the site as a public right-of-way provides the emergency vehicle access needed for the multifamily residents and will protect development character of the adjacent neighborhoods. Preventing a new public cul-de-sac along Shelton Grove Drive will avoid increased congestion to the adjacent neighborhood to the south. The requested variance results in a definite benefit to the general public, which is in harmony with the intent and general purposes of the City's Code of Ordinances. Without the variance, the single-family neighborhoods would be exposed to greater noise and congestion from the multifamily traffic. With the variance, the needs of both the surrounding neighborhood and the new multifamily development are taken into account.

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

The street extension is not needed to address intersection spacing requirements and it will provide no tangible benefit to the public in terms of regional mobility. The single-family residential areas to the south have access to Perry Road (and ultimately Tomball Parkway/SH 249) through Fairlane Meadows Drive. They also have access to Grant Road through Fairlane Oaks Drive and Canyon Rose Lane. The single-family residential areas to the west have access to Cypresswood Drive through Mandolin Drive and Napoli Drive. The applicant's design addresses the health, safety, and general welfare of the new multifamily residents, as well as the existing, adjacent single-family neighborhoods. Without the variance, the applicant would have to extend Shelton Grove Drive and terminate it within their property as a cul-de-sac and would have to extend Indigo Trace to connect with Shelton Grove. By providing emergency vehicle access only through the proposed cul-de-sac on Indigo Trace Court, and denying access to Shelton Grove, the multifamily complex is protected in the event of an emergency ingress/egress requirement, but residents will be prohibited from using the street network around Indigo Trace as cut-through to Cypresswood to the north and Grant to the south. Perry road remains as the ordinary non-emergency means of access to the multifamily development.

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

Economic hardship is not the justification for the variance. Unusual physical characteristics affect the site and make the extension or termination in a cul-de-sac of Shelton Grove Drive a threat to the safety and welfare of the adjacent communities and contrary to the best interests of the general public, preventing increased congestion, noise, and general traffic disturbance. Granting the variance is the best course of action as it enables reasonable use of the land and ultimately the construction of a multifamily facility that is compatible with the surrounding area.

Houston Planning Commission

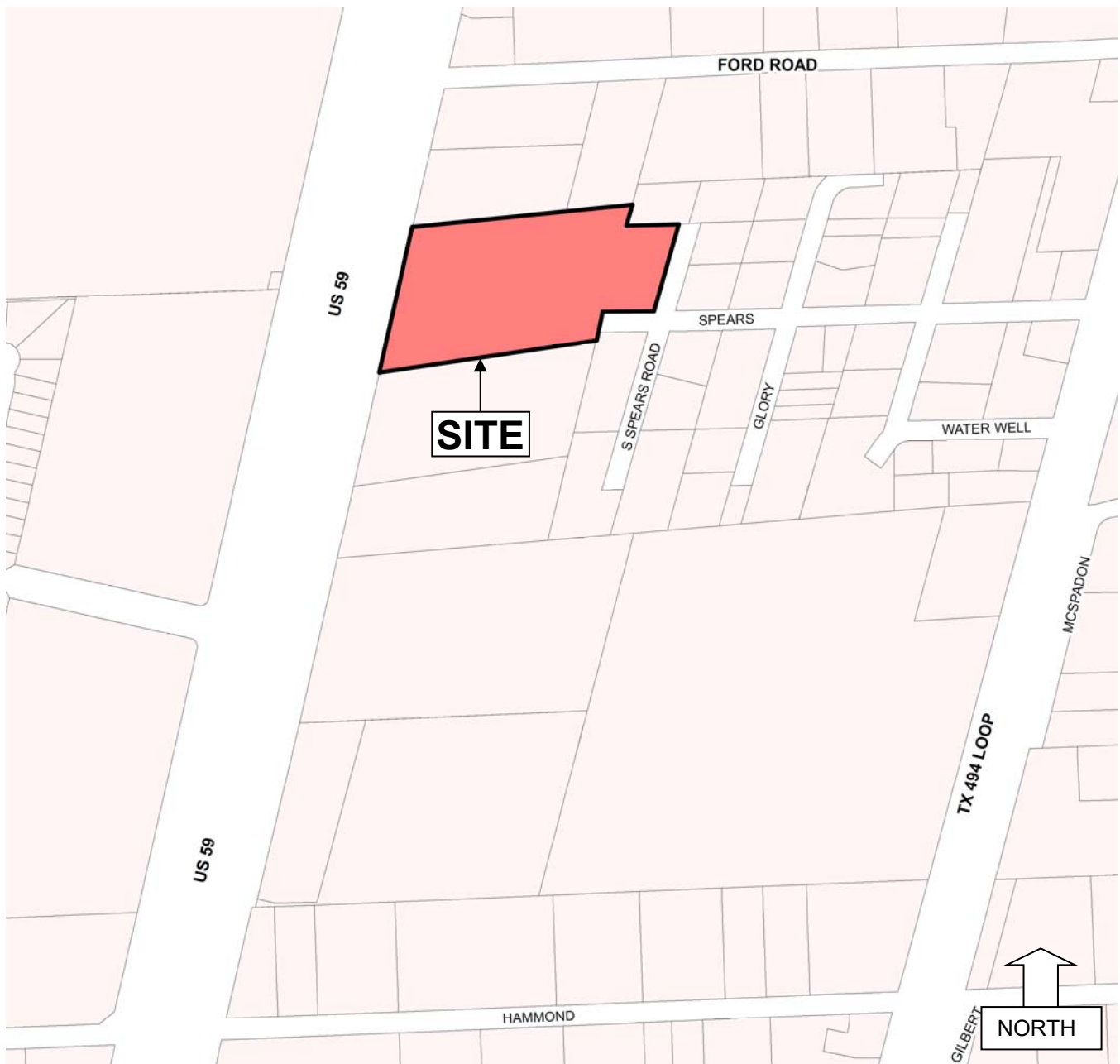
ITEM: 175

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Porter Mercado

Applicant: Hovis Surveying Company Inc.



F- Reconsideration of Requirements

Site Location

Subdivision

Houston Planning Commission

ITEM: 175

Planning and Development Department

Meeting Date: 12/16/2021

Subdivision Name: Porter Mercado

Applicant: Hovis Surveying Company Inc.



F- Reconsideration of Requirements

Aerial



Application No: 2021-2959
Plat Name: Porter Mercado
Applicant: Hovis Surveying Company Inc.
Date Submitted: 12/06/2021

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

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

Specific requirement or condition being sought:

To not extend Spear Lane a 50 foot unimproved stub street through this development to US Highway 59

Chapter 42 Section: 127

Chapter 42 Reference:

Along a major thoroughfare, there shall be an intersection with a local street, collector street or major thoroughfare at least every 2,600 feet

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

STATEMENT OF FACTS:

This is a 50 foot unimproved street and would be extending commercial traffic as this is a proposed commercial development to the existing residential development. We have attached a variance request with this reconsideration of requirement



Application Number: 2021-2959

Plat Name: Porter Mercado

Applicant: Hovis Surveying Company Inc.

Date Submitted: 12/06/2021

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

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

Specific Variance is being sought and extent of variance:

To not extend or terminate with a cul-de-sac Spear Lane, a 50 foot unimproved right-of-way, and to exceed 2600' intersection spacing along US Highway 59.

Chapter 42 Section: 127 & 135

Chapter 42 Reference:

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

This 6.8945 acre development is located on the Easterly right-of-way line of US Highway 59, a controlled access highway, 406.89 feet South of the South right-of-way line of Ford Road. The existing intersection spacing between Ford Road and Hammond is approximately 2,800 feet. On the Eastern Boundary of this development there is an existing Stub street referred to as Spear Lane. This is an unimproved 50 foot right-of-way. The adjacent streets South Spears Road (60 foot right-of-way) and Spears Lane to the East (a 60 foot right-of-way) are by prescriptive rights. The extension of Spear Lane to US Highway 59 would send the commercial traffic from this development into the existing residential development on the East side of S. Spears Road. This stub street does not show up on the Major Thoroughfare plan for Montgomery County as a road to be extended and in conversations with Montgomery County there is no objection to not extending this right-of-way. This unimproved right-of-way is only one tract deep and since there is no road or paving within the right-of-way there is no need to provide a vehicular turn around. Even if the road was developed in the future it would still be clear that the road did not extend.

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

The circumstances supporting the variance are not the result of a hardship created or imposed by the applicant because these existing conditions have been in place prior to the development of this tract. This tract is only 406.89 feet South of Ford Road which is also a major thoroughfare. The extension of an unimproved street to US Highway 59 would not significantly increase circulation in the area since the road would not extend to S. Spears Road. There is adequate circulation in the area with the existing street pattern and the overall block length would only be 200 feet over the requirement.

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

The intent and general purposes of this chapter will be preserved and maintained because Ford Road and E Hammond Drive currently serve as circulation in the area and the extension of commercial traffic to the residential development would create an undesirable effect for the existing residents.

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

The granting of the variance will not be injurious to the public health, safety or welfare because the current street grid provides for overall circulation and the extension of the street to US Highway 59 would not allow for the required distance between driveways as per the TXDOT standards. Which in turn would create a street with no access to US Highway 59 and not create the desired circulation.

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

Economic hardship is not the sole justification of the variance because these existing conditions were in place prior to the development of this tract. The overall circulation will not be affected by not extending the unimproved right-of-way and in fact could create problems for the existing residents of the development where the stub street exist. The creation of a turn around would not be beneficial since there is not a existing to street to turn around for.

CITY OF HOUSTON

HOUSTON PLANNING COMMISSION
PLANNING & DEVELOPMENT DEPARTMENT

Planning Commission
Meeting Date: 12/16/2021

ITEM: 191

Applicant: PABLO OLASCOAGA

Contact Person: PABLO OLASCOAGA

Location	File No.	Zip	Lamb. No.	Key Map	City/ETJ
	21-1606	77365	5571	296L	ETJ
WEST OF: MEADOW LN LN SOUTH OF: MARTIN DRIVE					

ADDRESS: 24768 Meadow Lane Porter Texas 77365

ACREAGE:

LEGAL DESCRIPTION:

LOT 9, BLOCK 2 OF TIMBER LANE ACRES. SECTION FOUR, A SUBDIVISION OUT OF THE NICHOLAS S. SCHMITZ SURVEY, A 699 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

CITY OF HOUSTON

HOUSTON PLANNING COMMISSION
PLANNING & DEVELOPMENT DEPARTMENT

Planning Commission
Meeting Date: 12/16/2021

ITEM: 192

Applicant: DELMIN REYES

Contact Person: DELMIN REYES

Location	File No.	Zip	Lamb. No.	Key Map	City/ ETJ
	21-1607	77365	5571	295K	ETJ
EAST OF: EVENING LN SOUTH OF: WISP WILLOW WAY					

ADDRESS: 18576 Wisp-Willow Way Porter Texas 77365

ACREAGE:

LEGAL DESCRIPTION:

LOT 180, SECTION 1 OF THE SUMMER HILLS ADDITION IN 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

CITY OF HOUSTON

HOUSTON PLANNING COMMISSION
PLANNING & DEVELOPMENT DEPARTMENT

Planning Commission
Meeting Date: 12/16/2021

ITEM: 193

Applicant: JEFFREY GREENE

Contact Person: JEFFREY GREENE

Location	File No.	Zip	Lamb. No.	Key Map	City/ ETJ
	21-1608	77365	5671	296N	ETJ
EAST OF: EVENING LN SOUTH OF: WISP WILLOW WAY					

ADDRESS: 21255 W Memorial Drive Porter Texas 77365

ACREAGE:

LEGAL DESCRIPTION:

THE WEST ONE-HALF OF LOT 5, IN BLOCK ONE OF RIVER OAKS ESTATES SECTION 1 SUBDIVISION OUT OF THE MARY OWENS SURVEY, A 405 IN 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

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APPLICANT COMPANY	CONTACT PERSON	PHONE NUMBER	EMAIL ADDRESS		
Richard Grothues Designs, Inc.	Rick Grothues	713.449.9191	rick@rgrothuesdesigns.com		
PROPERTY ADDRESS	FILE NUMBER	ZIP CODE	LAMBERT	KEY MAP	DISTRICT
707 Andrews Street	21071531	77019	5357D	493P	C

HCAD ACCOUNT NUMBER(S):	005 001 000 0002
PROPERTY LEGAL DESCRIPTION:	Lot 3 & Tract 2 Block 40 W.R. Baker SSBB
PROPERTY OWNER OF RECORD:	Lee Anthony Cash 2018 Separate Trust / Catherine Cash 2011 Childrens Trust
ACREAGE (SQUARE FEET):	5,700
WIDTH OF RIGHTS-OF-WAY:	Andrews Street (27.5')
EXISTING PAVING SECTION(S):	Andrews Street (20')
OFF-STREET PARKING REQUIREMENT:	13
OFF-STREET PARKING PROVIDED:	13
LANDSCAPING REQUIREMENTS:	2 street trees & 20 shrubs
LANDSCAPING PROVIDED:	2 street trees & 20 shrubs

EXISTING STRUCTURE(S) [TYPE; SQ. FT.]:	None
PROPOSED STRUCTURE(S) [TYPE; SQ. FT.]:	Multifamily R-2, 12,480sf proposed building
PURPOSE OF VARIANCE REQUEST:	To reduce building line requirement from 10' to 5' along Andrews Street

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

DEVELOPMENT PLAT VARIANCE



Houston Planning Commission

APPLICANT'S STATEMENT OF FACTS

SUMMARY OF VARIANCE CONDITIONS (BE AS COMPLETE AS POSSIBLE): The site lies within the Fourth Ward. This area has been identified as a Streets-In-Place area. The surrounding developments have established building lines of 5'. The request is to reduce the building line from 10' to 5'

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

- (1a) **The imposition of the terms, rules, conditions, policies and standards of this chapter would create an undue hardship by depriving the applicant of the reasonable use of the land; or**
The reason for the request is to fit in with the look and feel of the neighborhood and also to provide more relief from the townhome to the rear (south) of the lot. Imposition of the ordinance would deprive the project from reasonably trying to provide this feel within the neighborhood where most of the buildings are close to the ROW creating a more pedestrian friendly atmosphere.
- (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;**
- (2) **The circumstances supporting the granting of the variance are not the result of a hardship created or imposed by the applicant;**
This lot sits in the heart of a high-density area. This area is filled with small streets, lots of townhomes and apartments. This project of a boutique apartments fits the area well. Most of the building lines surrounding this lot are at 5' as shown in the example. The look and feel of the neighbor will be maintained with the reduction of the building line.
- (3) **The intent and general purposes of this chapter will be preserved and maintained;**
The intent of the building lines is to provide a visual buffer for both pedestrians and motor vehicles and to keep the buildings along the street in harmony with each other. As shown in the example, the entire area has a typical building line of 5'. Thus, the intent will be maintained.

DEVELOPMENT PLAT VARIANCE



Houston Planning Commission

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

The reduction in the building line will not change the look and feel of the neighborhood and match the existing buildings surrounding the lot. The lot also sits in the middle of the block. Therefore, the granting of this variance will not impede any mobility in the area.

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

The number of apartment units will not change. Thus, economic hardship is not the justification for the variance.

DEVELOPMENT PLAT VARIANCE



PLANNING &
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ITEM: 194

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Houston Planning Commission

Location Map



DEVELOPMENT PLAT VARIANCE



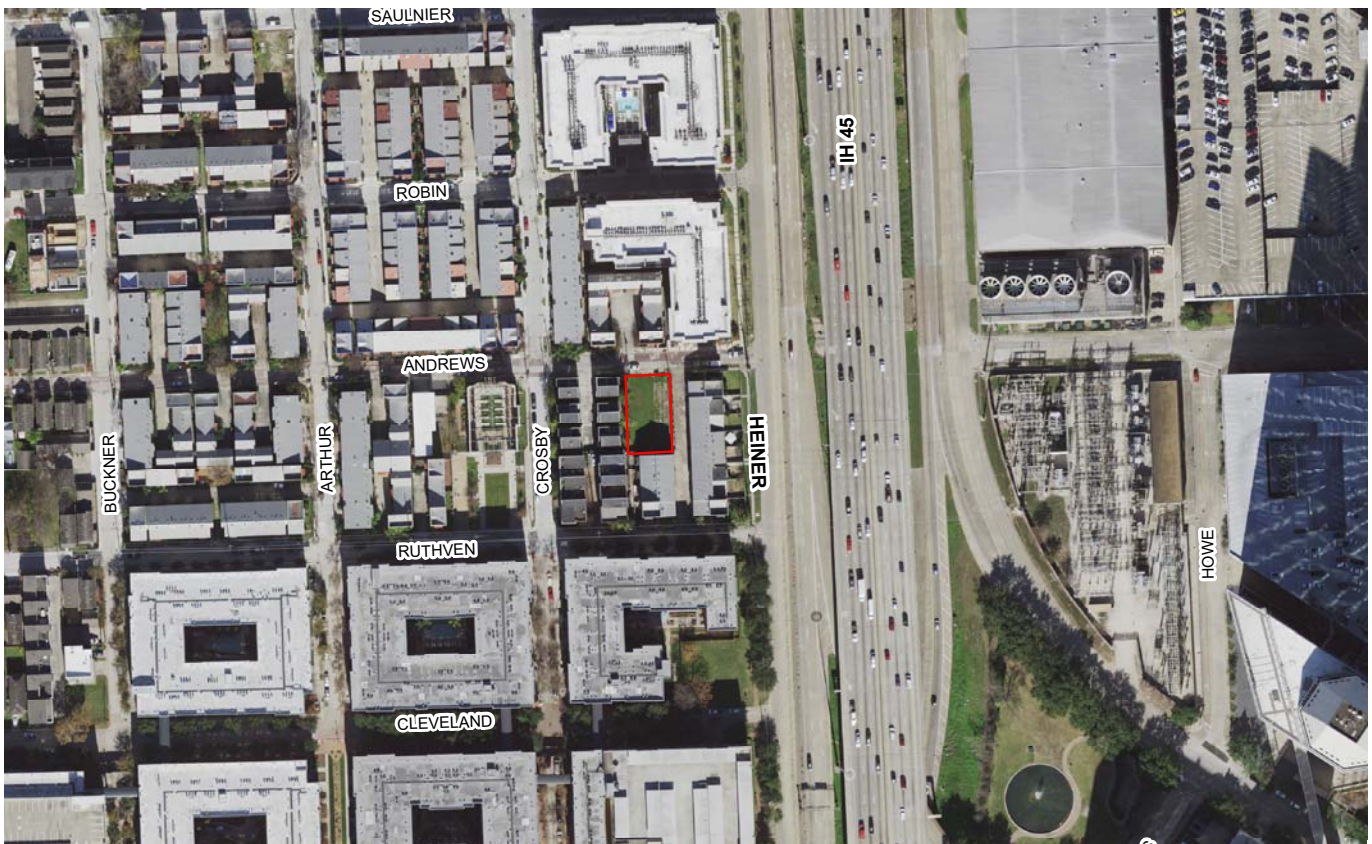
PLANNING &
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DEPARTMENT

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Aerial Map



DEVELOPMENT PLAT VARIANCE



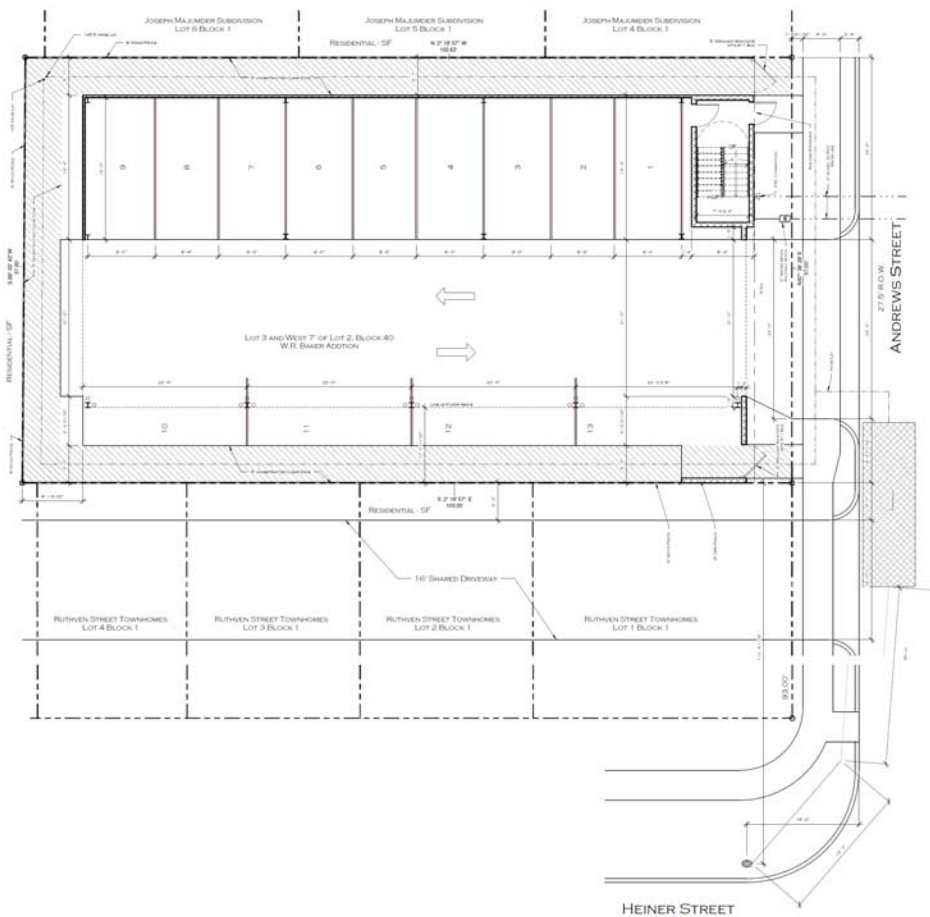
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ITEM: 194

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Site Plan



1. The applicant is requesting a Development Plat Variance for the proposed development of The Messina Apartments, located at 707 Andrews Street, Houston, Texas 77019. The project consists of a four-story residential building with a total of 100 units. The applicant is requesting a variance from the minimum lot area requirement of 10,000 square feet to 5,000 square feet per unit. The applicant is requesting a variance from the minimum lot width requirement of 100 feet to 50 feet. The applicant is requesting a variance from the minimum lot depth requirement of 100 feet to 50 feet. The applicant is requesting a variance from the minimum lot area requirement of 10,000 square feet to 5,000 square feet per unit. The applicant is requesting a variance from the minimum lot width requirement of 100 feet to 50 feet. The applicant is requesting a variance from the minimum lot depth requirement of 100 feet to 50 feet.

LEE A. CASH
THE MESSINA APARTMENTS
707 ANDREWS, HOUSTON, TX 77019

No.	Description	Date
1	Initial Review	12/16/2021
2	Staff Review	12/16/2021
3	Commission Review	12/16/2021
4	Final Review	12/16/2021

PSR

DEVELOPMENT PLAT VARIANCE



Houston Planning Commission

ITEM: 194

Meeting Date: 12/16/2021

Elevations



DEVELOPMENT PLAT VARIANCE



Houston Planning Commission

VARIANCE REQUEST APPLICATION

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APPLICANT COMPANY	CONTACT PERSON	PHONE NUMBER	EMAIL ADDRESS		
DIAZ GROUP	ROBERTO DIAZ	281-901-9373	DIAZGROUPH@GMAIL.COM		
PROPERTY ADDRESS	FILE NUMBER	ZIP CODE	LAMBERT	KEY MAP	DISTRICT
6947 Linden St.	21091578	77087	5555B	535E	I

HCAD ACCOUNT NUMBER(S):	0601270050001
PROPERTY LEGAL DESCRIPTION:	LT 1 BLK 72 Pecan Park R/P
PROPERTY OWNER OF RECORD:	Daniel Esquivel
ACREAGE (SQUARE FEET):	5500 SF
WIDTH OF RIGHTS-OF-WAY:	60' Linden Street, 60' Garland Drive
EXISTING PAVING SECTION(S):	28' Linden Street, 43.5' Garland Drive
OFF-STREET PARKING REQUIREMENT:	Complies
OFF-STREET PARKING PROVIDED:	Complies
LANDSCAPING REQUIREMENTS:	Complies
LANDSCAPING PROVIDED:	Complies

EXISTING STRUCTURE(S) [TYPE; SQ. FT.]: 1,788 S.F. Existing House

PROPOSED STRUCTURE(S) [TYPE; SQ. FT.]: 1788 S.F. Remodel House over existing Foundation and Wood Subfloor Frame

PURPOSE OF VARIANCE REQUEST: Maintain Existing 13.8' Building line for existing house along Garland Drive

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

DEVELOPMENT PLAT VARIANCE



Houston Planning Commission

APPLICANT'S STATEMENT OF FACTS

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

This is an existing house with an existing 13.8' B.L. that is more of many other existing houses along the same Garland St. provided. This project is not a new construction as we remodel and repair over existing foundation and subfloor framing. The original footprint of the house was not modified. In addition, the property is only 50' wide that will be affected losing half of the property if a 25 B.L. is requested.

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

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

By following this chapter will result in limiting the property because, the property is only 50 feet wide.

- (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;**

This property is a corner lot that has double building line that would limit the area that can be developed and leaving a property that will be infeasible to develop.

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

This property was developed with the existing conditions, now that the city has created new building line requirements this property will be affected by these new regulations.

DEVELOPMENT PLAT VARIANCE



Houston Planning Commission

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

In general, the purpose of this chapter is maintained because the existing house provide a 13.8' b.l. that helps keep the visibility triangle and help to reduce the hazard situation in the intersection.

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

The granting of this variance will not be injuries to the public health safety or welfare because the visibility at the intersection is not block and the 15' visibility triangle still provided. also, this is a major therefore that is in the middle of a residential neighborhood that do not present heavy traffic.

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

The granting of this variance provides no economic benefit or hardship. This request is submitted due to existing site conditions and to be able to repair and maintain the existing house as originally developed.

DEVELOPMENT PLAT VARIANCE



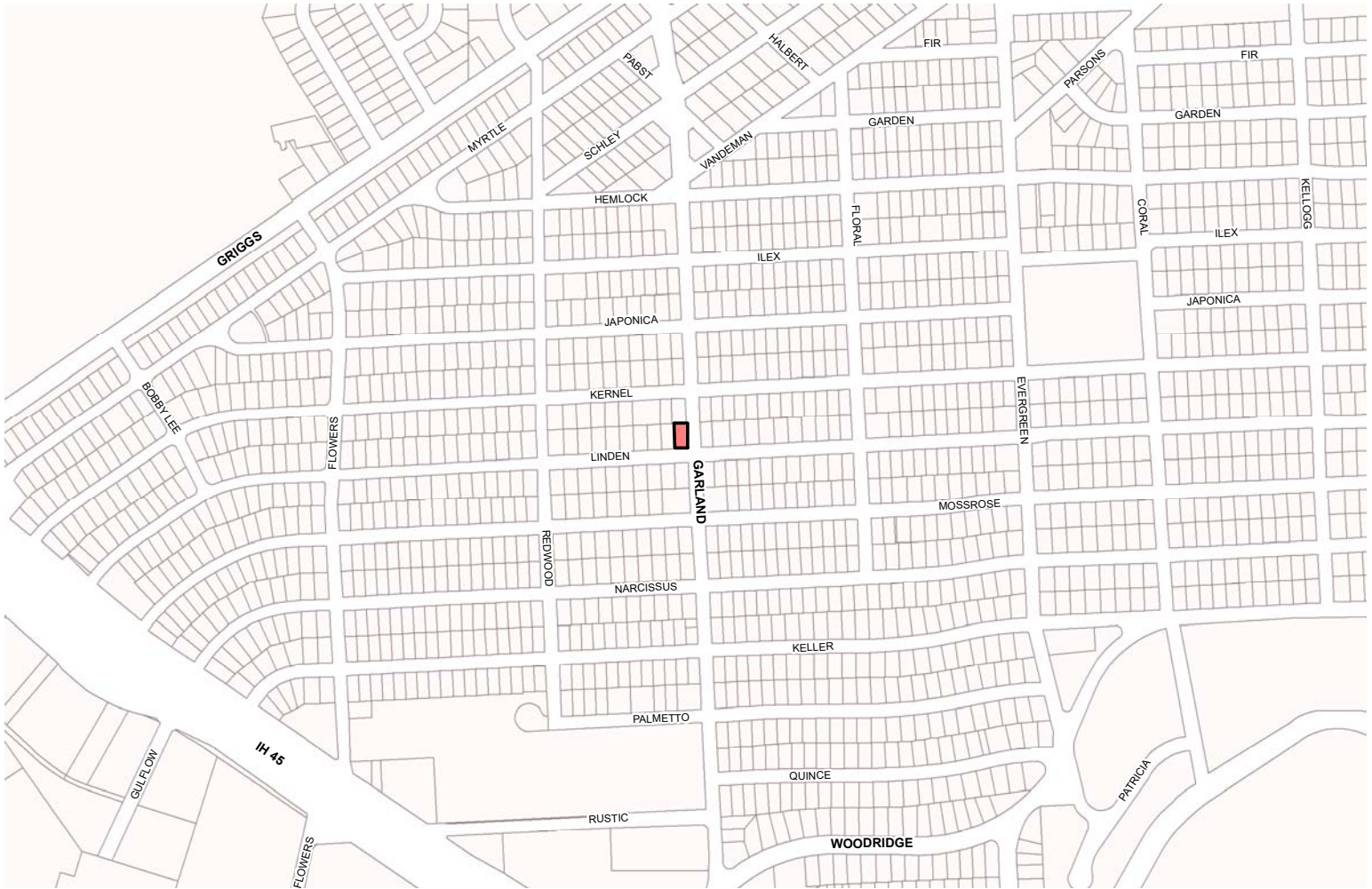
PLANNING &
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DEPARTMENT

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Meeting Date: 12/16/2021

Houston Planning Commission

Location Map



DEVELOPMENT PLAT VARIANCE



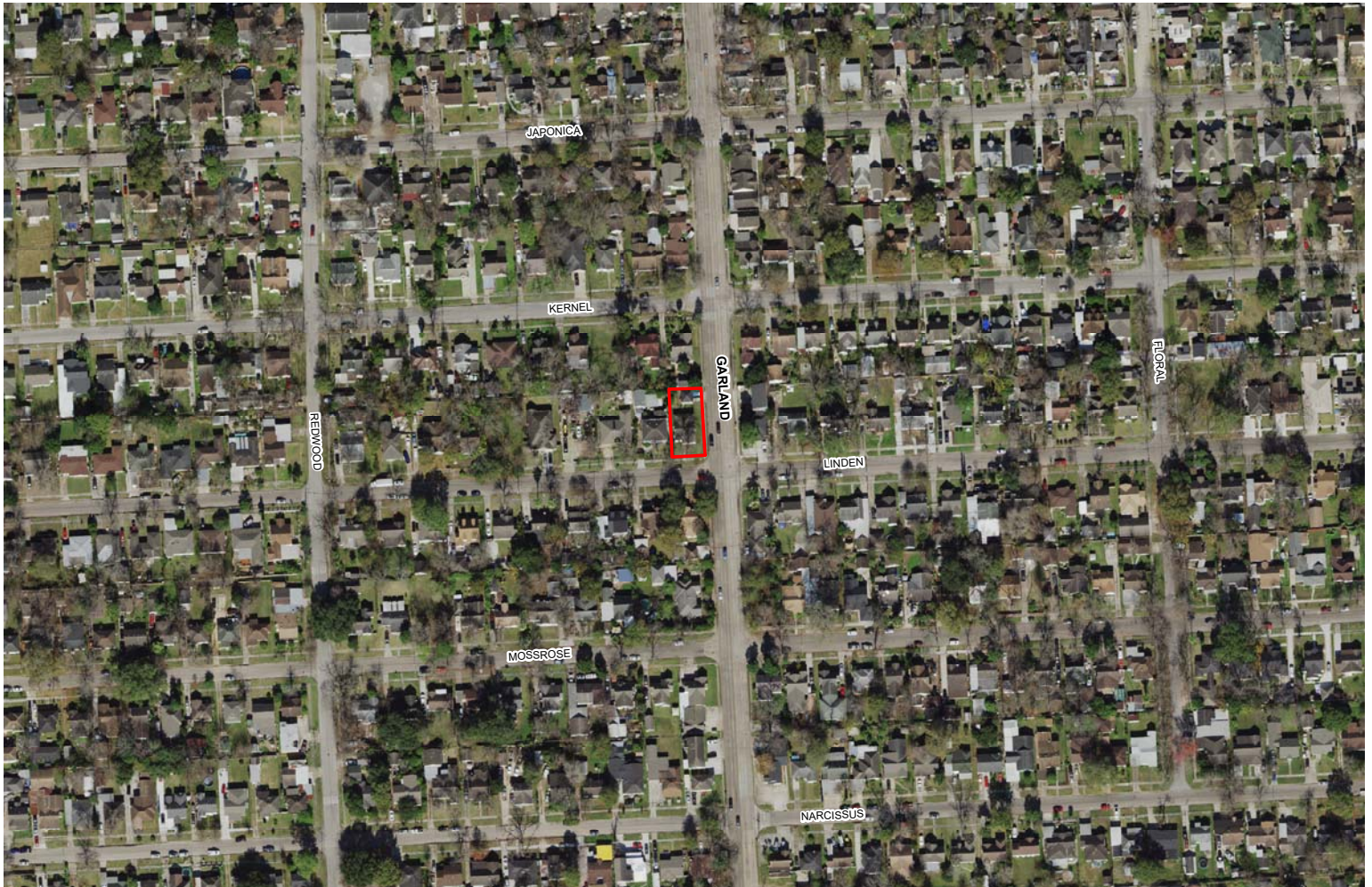
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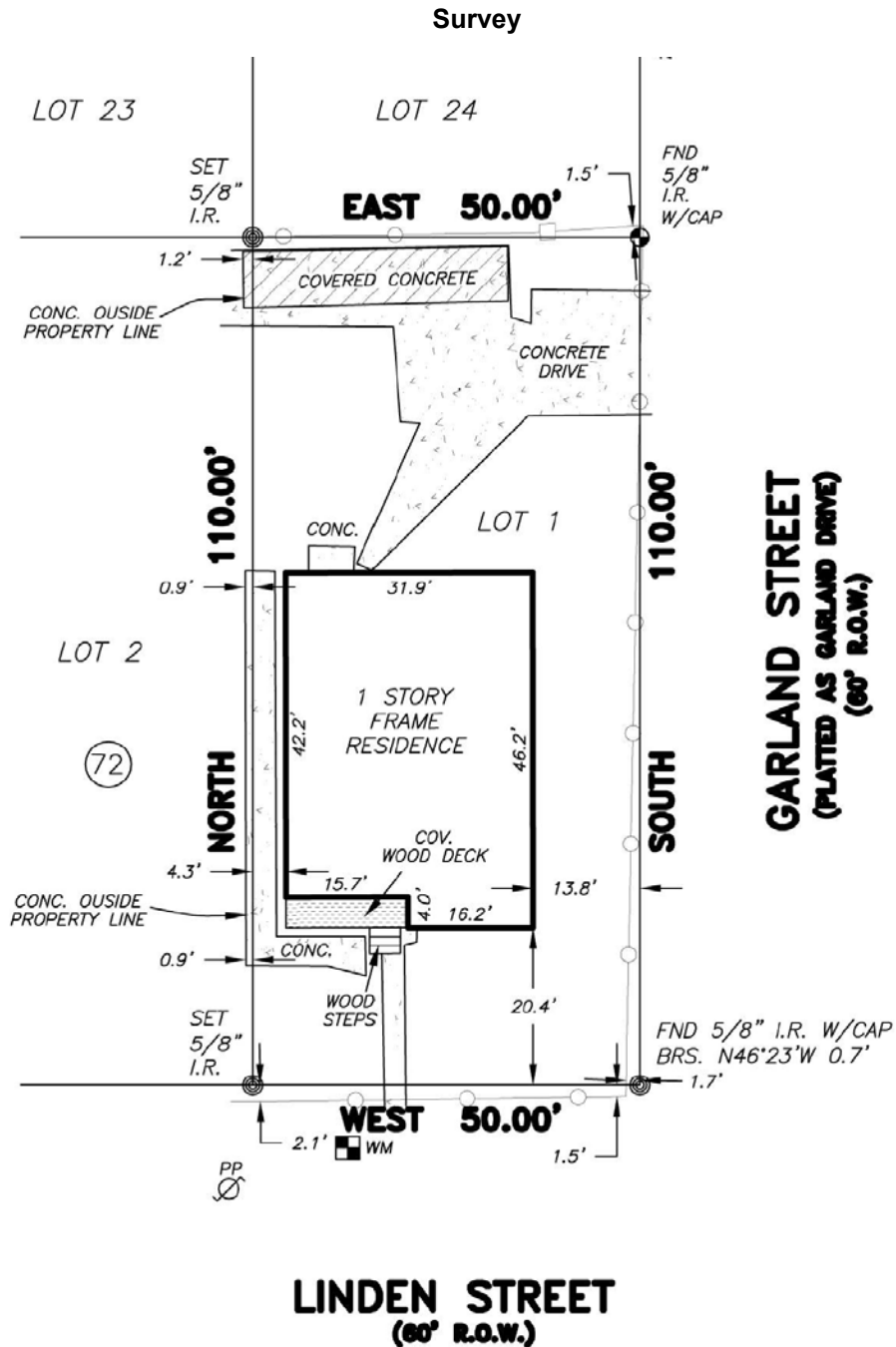
Aerial map



DEVELOPMENT PLAT VARIANCE



Houston Planning Commission



DEVELOPMENT PLAT VARIANCE

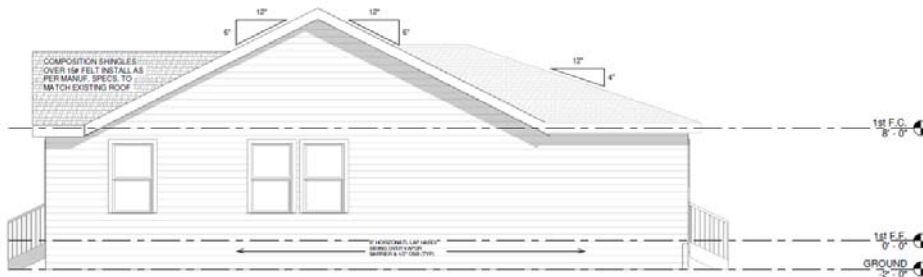


Houston Planning Commission

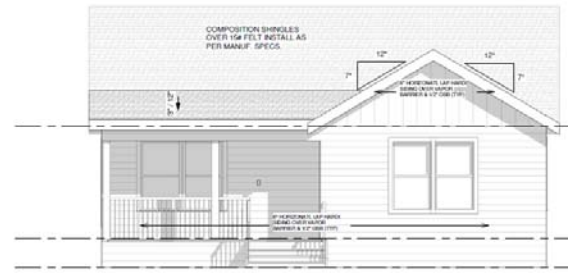
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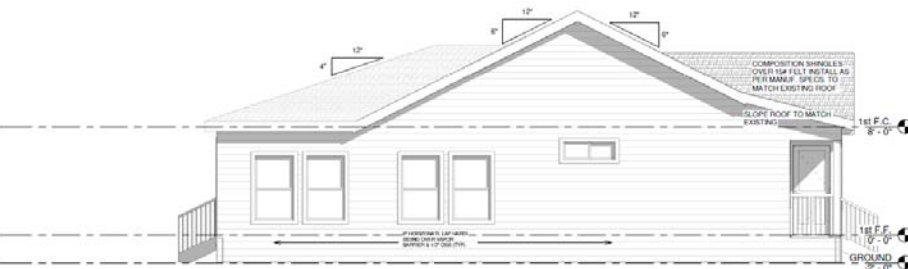
Elevations



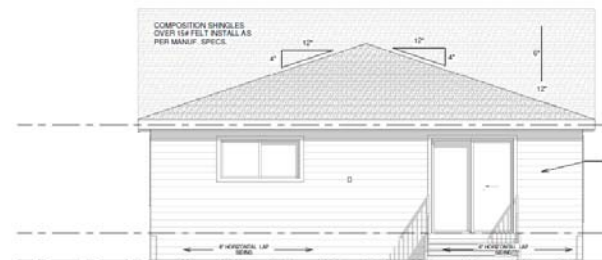
2 RIGHT ELEVATION
3/16" = 1'-0"



1 FRONT ELEVATION
3/16" = 1'-0"



4 LEFT ELEVATION
3/16" = 1'-0"



3 REAR ELEVATION
3/16" = 1'-0"

DEVELOPMENT PLAT VARIANCE



Houston Planning Commission

VARIANCE REQUEST APPLICATION

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APPLICANT COMPANY	CONTACT PERSON	PHONE NUMBER	EMAIL ADDRESS		
Probstfeld & Associates, Inc.	Mario Colina, P.E.	281-829-0034	mario@probstfeld.com		
PROPERTY ADDRESS	FILE NUMBER	ZIP CODE	LAMBERT	KEY MAP	DISTRICT
3709 Locke Lane	21109173	77027	5256	492S	G

HCAD ACCOUNT NUMBER(S):	0731340110005
PROPERTY LEGAL DESCRIPTION:	E 30' of Lot 5 & W 40' of Lot 6, Block 2, Royden Oaks, Section 3
PROPERTY OWNER OF RECORD:	Lebarre Family, LLC
ACREAGE (SQUARE FEET):	8,190 SQ FT
WIDTH OF RIGHTS-OF-WAY:	Locke Lane ~ 60' • Westheimer Road ~ 80'
EXISTING PAVING SECTION(S):	Locke Lane ~ 28' • Westheimer Road ~ 2 - ± 25' w/ Median.
OFF-STREET PARKING REQUIREMENT:	2 cars
OFF-STREET PARKING PROVIDED:	Complies
LANDSCAPING REQUIREMENTS:	Complies
LANDSCAPING PROVIDED:	Complies

EXISTING STRUCTURE(S) [TYPE; SQ. FT.]: Single-family home; 3,263 SQ FT

PROPOSED STRUCTURE(S) [TYPE; SQ. FT.]: Single-family home; 7,230 SQ FT

PURPOSE OF VARIANCE REQUEST: To allow a 15 foot building line for a single family residential lot abutting Westheimer Road a major thoroughfare, instead of the required 25 feet building line by ordinance.

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

DEVELOPMENT PLAT VARIANCE



Houston Planning Commission

APPLICANT'S STATEMENT OF FACTS

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

Royden Oaks Section 3 Subdivision was recorded on June 8, 1950 which established a 15 feet rear building for all the lots in Block 2 abutting Westheimer Road with an 80-foot right-of-way, which was prior to the provisions of Chapter 42 Code of Ordinances of the City of Houston, Texas and Westheimer Road was not a designated major thoroughfare. Most of the structures built at the time were set at 15 feet. The existing structure a 1-story single family residence with driveway access to Westheimer Road will be demolished in order to build a 3-story single family residence with an attached garage with driveway access to Locke Lane, eliminating driveway access to Westheimer Road. The new 3-story residence is proposed to be set at 15.00 feet to its closest location to the south property line, thus conforming to the existing architectural aesthetic conditions of neighboring structures, and thus maximizing owner's use of the land. The current owner purchased the lot with the understanding that he could construct a 3-story residence up to 15 feet from south property line; based on this fact they developed the proposed project that is compromised if this variance is not granted.

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

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

This lot is located just west of Maconda Lane, with the lot fronting Locke Lane and the back of the lot abutting to Westheimer Road a major thoroughfare. Most of the existing residences abutting to Westheimer Road have main structures and garages set at 15 feet from Westheimer Road right-of-way, which was allowed at the time of construction by plat and prior to City Ordinances when Westheimer Road was not a designated major thoroughfare.

Owners and architects designed a 3-story residence set at 15 feet from Westheimer Road right-of-way to maximize land use and to aesthetically harmonize with existing adjacent residences. The imposition of the 25-foot building line by chapter 42 along Westheimer Road and the front 25-foot building line by plat will render 43% of the lot unbuildable.

There're numerous existing & newly constructed structures backing to Westheimer Road located at 15 feet from right-of-way as shown on attached aerial photo exhibit.

Owners have already secured a letter of approval from the Royden Oak Estates Homeowners Association, which enforces a 15 foot building line along Westheimer Road per plat, dated October 20, 2021, which has been attached to this application.

Also, additional traffic count will not be generated from this redevelopment.

The strict imposition of the rules will make this project infeasible in its current configuration and will not allow the owners to maximize the use of their land.

DEVELOPMENT PLAT VARIANCE



Houston Planning Commission

- (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;**

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

The applicant did not create the hardship. The proximity to Westheimer Road is an integral existing physical characteristic of the lot, which the owners can not control.

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

The intent and general purposes of Chapter 42 is to allow responsible and orderly development of the city. The approval of this variance will preserve, maintain, and encourage development that is consistent with the existing character of the neighborhood, which is the purpose of this chapter. Owners have already secured a letter of approval from the Royden Oak Estates Homeowners Association.

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

The granting of this variance will not affect the welfare and safety of the public, existing curb & gutter concrete street with a separation (buffer zone) of 8 feet between back of curb & property line will provide a total distance of 23.0 feet from the proposed residence to back of curb. Additionally, there will not be access to the lot from Westheimer Road (existing driveway access will be eliminated). Also, the approval of this variance will not alter or change existing traffic flow.

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

In consideration of the above reasons, economic hardship, while important, is not the sole justification for the granting of this variance. The owners respectfully request that this variance is granted.

DEVELOPMENT PLAT VARIANCE



PLANNING &
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Houston Planning Commission

Location Map



DEVELOPMENT PLAT VARIANCE



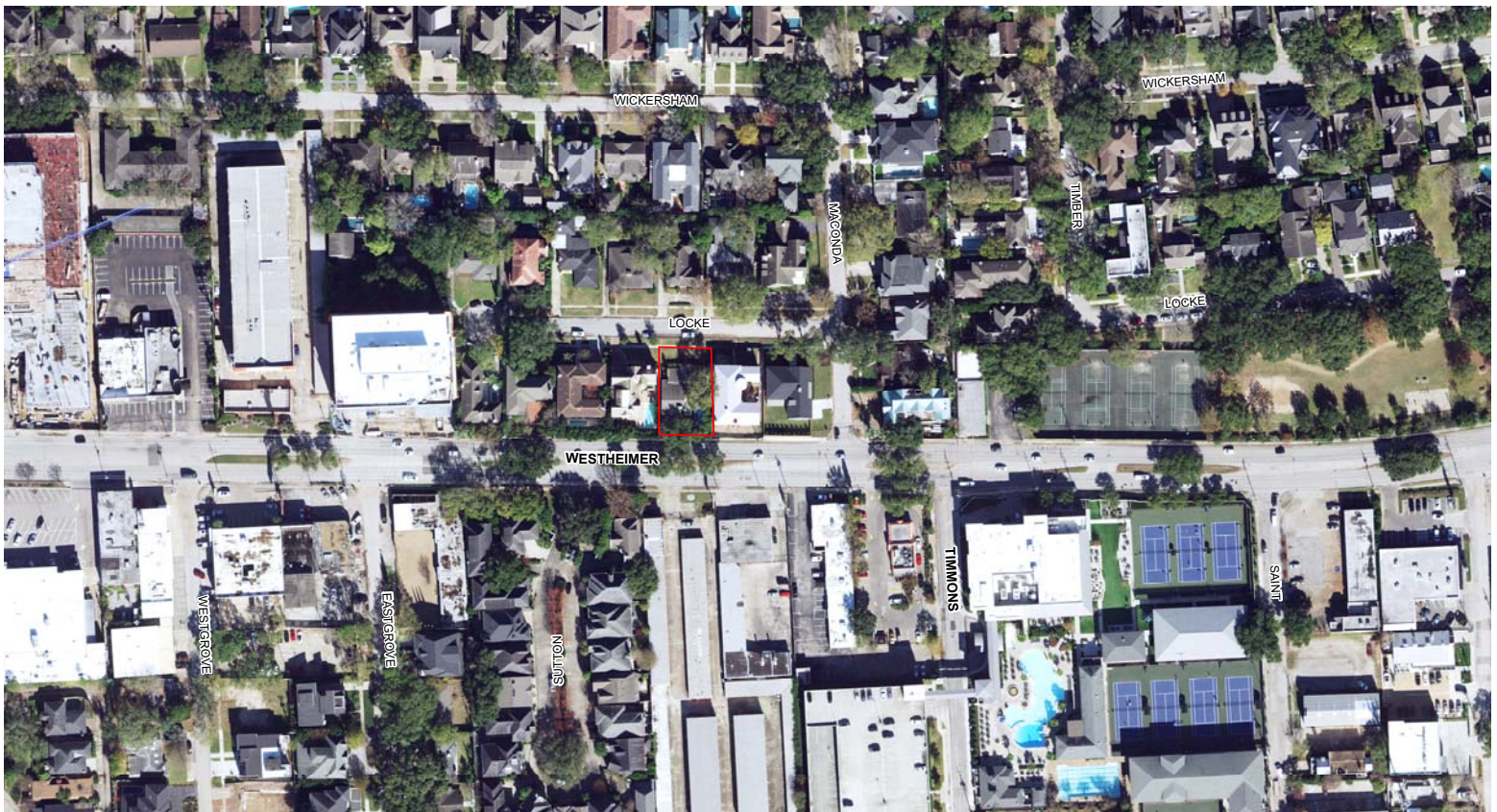
PLANNING &
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Aerial Map



DEVELOPMENT PLAT VARIANCE

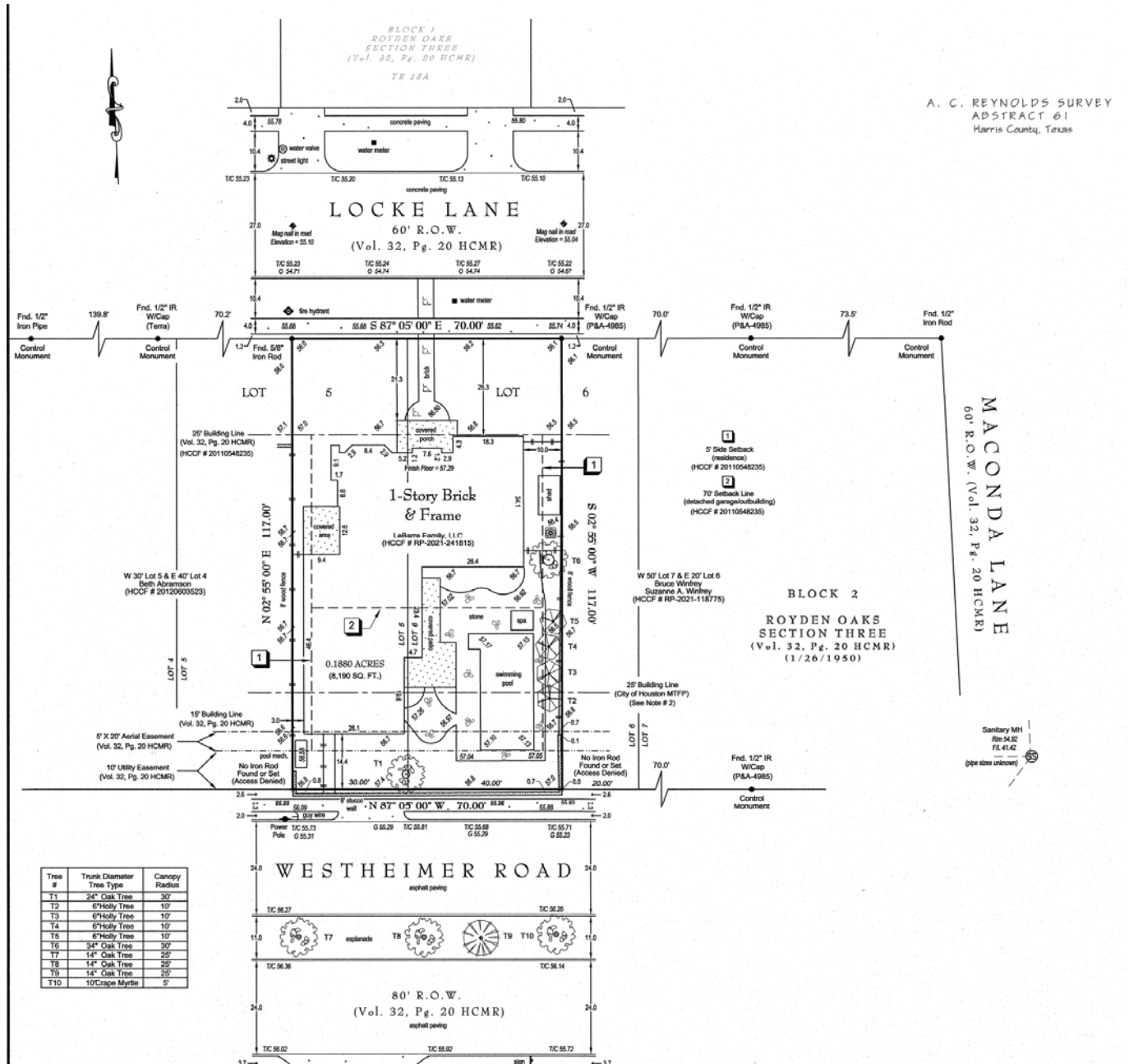


Houston Planning Commission

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Survey



DEVELOPMENT PLAT VARIANCE



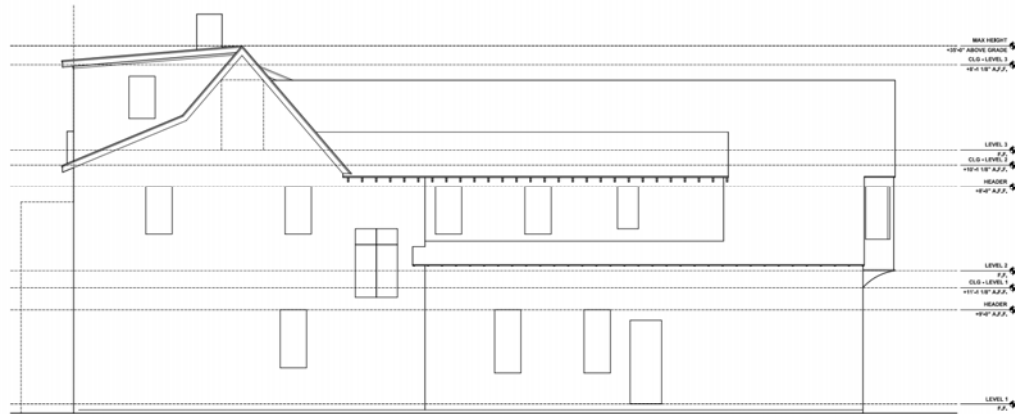
Houston Planning Commission

Elevations



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

07.07.21
3709 LOCKE LANE
WINFREY DESIGN BUILD



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

07.07.21
3709 LOCKE LANE
WINFREY DESIGN BUILD

DEVELOPMENT PLAT VARIANCE



Houston Planning Commission

VARIANCE REQUEST APPLICATION

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APPLICANT COMPANY	CONTACT PERSON	PHONE NUMBER	EMAIL ADDRESS		
PEA Group	Mike Pierce	(713) 688-3530	mpierce@peagroup.com		
PROPERTY ADDRESS	FILE NUMBER	ZIP CODE	LAMBERT	KEY MAP	DISTRICT
4521 N. Main Street	21018517	77009	5359D	453X	H

HCAD ACCOUNT NUMBER(S):	040-065-000-0011
PROPERTY LEGAL DESCRIPTION:	Tract 11 Abstract 1 out of John Austin Survey
PROPERTY OWNER OF RECORD:	HTX Living Holdings, LLC
ACREAGE (SQUARE FEET):	0.192ac (8,370 SQ. FT.)
WIDTH OF RIGHTS-OF-WAY:	North Main Street (70')
EXISTING PAVING SECTION(S):	North Main Street (45')
OFF-STREET PARKING REQUIREMENT:	5 parking spaces
OFF-STREET PARKING PROVIDED:	5 parking spaces
LANDSCAPING REQUIREMENTS:	n/a
LANDSCAPING PROVIDED:	n/a

EXISTING STRUCTURE(S) [TYPE; SQ. FT.]:	Retail Single-Occupancy; 2,415 SQ. FT.
PROPOSED STRUCTURE(S) [TYPE; SQ. FT.]:	The Entrance Façade; 91 SQ. FT.

PURPOSE OF VARIANCE REQUEST: The purpose of this request is to allow a 5' building instead of the required 25' building required by the ordinance for a new office rebuild.

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

DEVELOPMENT PLAT VARIANCE



Houston Planning Commission

APPLICANT'S STATEMENT OF FACTS

SUMMARY OF VARIANCE CONDITIONS (BE AS COMPLETE AS POSSIBLE): This variance is to request approval for the new property owner to construct a new front façade addition to the front of the existing building. This new façade will encroach 3' closer to the right of way than the existing front overhang that was removed from the existing building. The adjacent neighbors have buildings that are closer to the right of way than this site. The new property owner has begun renovations to the existing building and is seeking permission to allow the new façade. This new façade addition will be a great improvement to the building and will greatly improve the aesthetics of the area.

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

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

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

Being in the Greater Houston Height area, the existing buildings in the area were constructed with minimal front building setback lines. The existing building has a front wall has a setback of 17' 4-3/8" from the existing right of way, with the existing front roof overhang having a setback of 13' 4-3/8". The proposed façade with front porch with overhang will have a setback of 5'. Imposition of a 25' front setback would make the proposed front porch with overhang infeasible and would greatly reduce the aesthetics of the remodeled building. Additionally, the adjacent adjoining neighbors have existing structures that are much closer to the existing right of way, and imposition of the ordinance on the property in question would be impractical. This proposed variance is essential to improve the buildings curb appeal and overall appearance.

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

There are no hardships created nor imposed by the applicant. The building is existing, and the proposed front porch and overhang are the only new improvements to the front of the building.

DEVELOPMENT PLAT VARIANCE



Houston Planning Commission

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

The intent of this chapter will be preserved and maintained. This development will continue to promote the health, safety, morals and general welfare of the city and the safe, orderly and healthful development of the city.

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

The proposed variance will not cause public health, safety or welfare to the public. The adjacent adjoining neighbors have existing structures that are much closer to the existing right of way. Therefore, the addition of the proposed front porch with overhang will not reduce visibility to exiting traffic. Additionally, the proposed front porch with overhang will maintain visibility through the structure since it is not an enclosed addition to the front of the existing building.

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

The proposed variance is solely to improve the aesthetics and curb appeal of the businesses and to improve the buildings overall appearance. Economic hardship is not the sole justification of the variance.

DEVELOPMENT PLAT VARIANCE



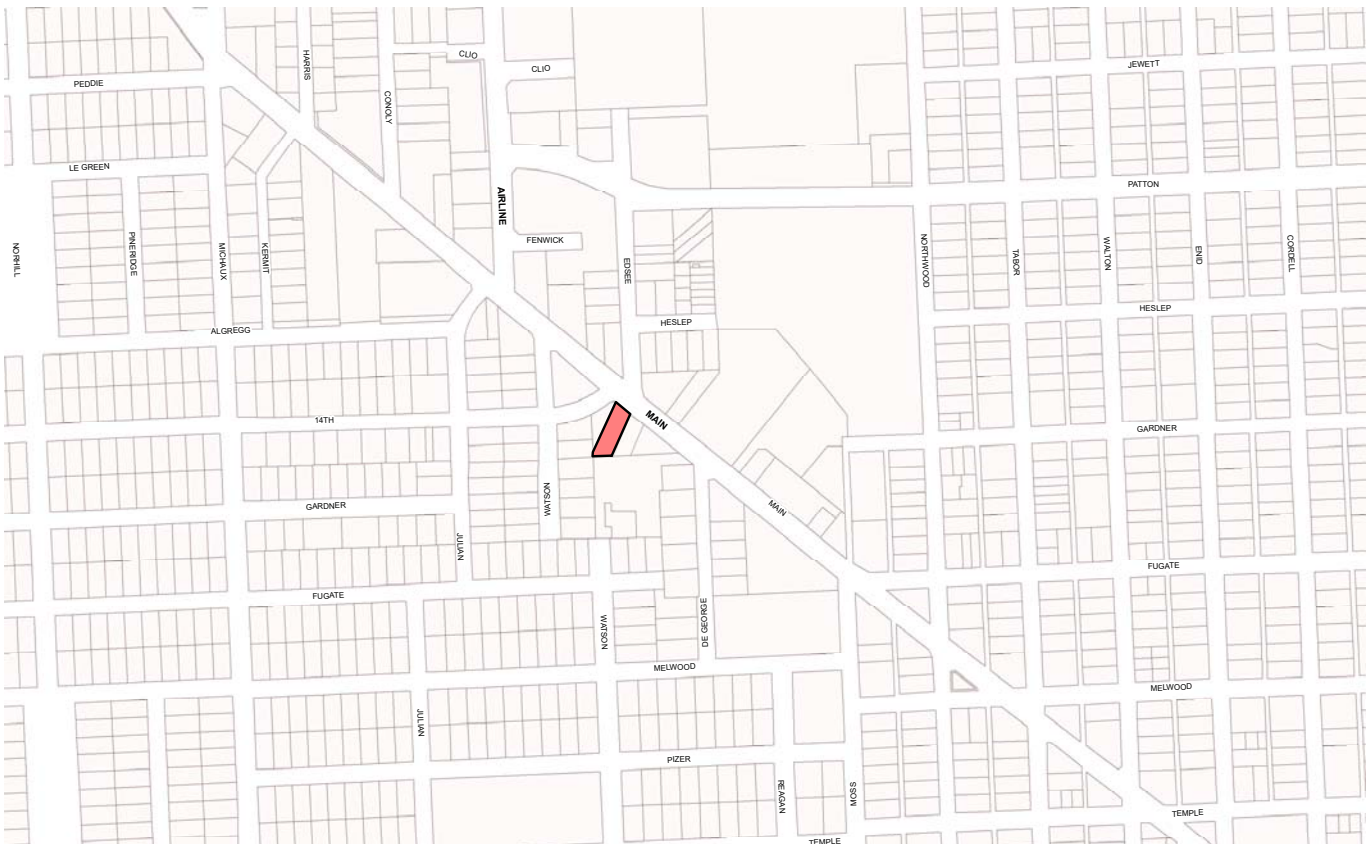
PLANNING &
DEVELOPMENT
DEPARTMENT

ITEM: 197

Meeting Date: 12/16/2021

Houston Planning Commission

Location Map



DEVELOPMENT PLAT VARIANCE



PLANNING &
DEVELOPMENT
DEPARTMENT

ITEM: 197

Meeting Date: 12/16/2021

Houston Planning Commission

Aerial Map



DEVELOPMENT PLAT VARIANCE



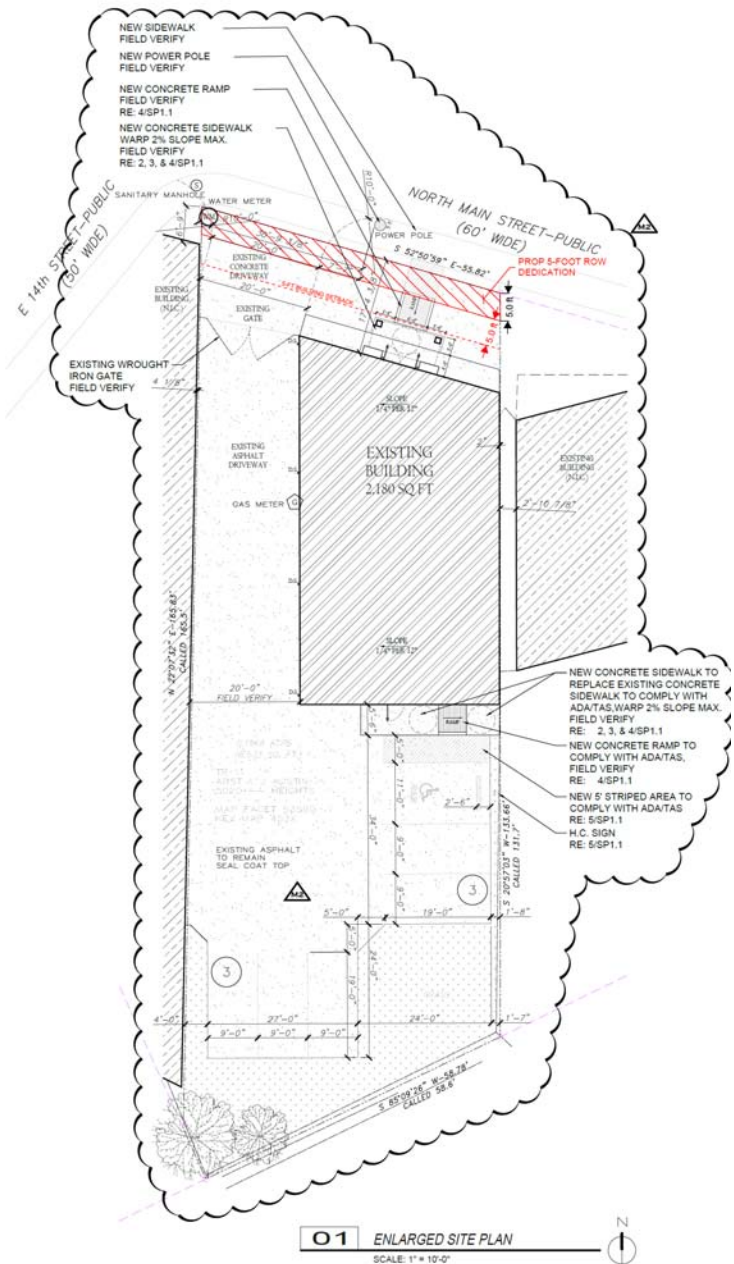
Houston Planning Commission

ITEM: 197

Meeting Date: 12/16/2021

Site Plan

4521 N MAIN - 20201125					
PARKING REQUIREMENTS AS PER CHAPTER 26					
OFFICE	OFFICE	2,180	Class 1: OFFICE	1000 / 2.5	5.45
TOTAL SQUARE FOOTAGE		2,180			6
PARKING PROVIDED - PARKING REQUIRED MINUS BIKE CREDITS					
TOTAL PARKING PROVIDED:				6	
MINUS THE BIKE CREDITS:				6-1=	5
BIKE CREDITS		2 * 4 FEET MAX 10%	6	0.60	1.0
ADA/ TAS SPACES:			0.25	1	1
ADA/ TAS VAN SPACES:				1	1



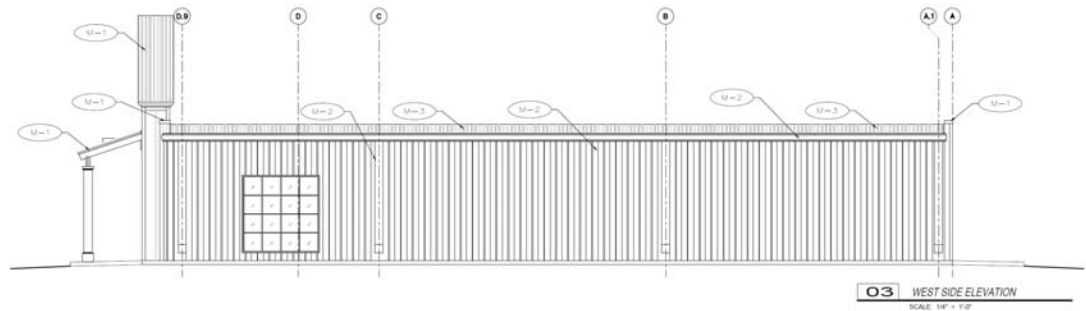
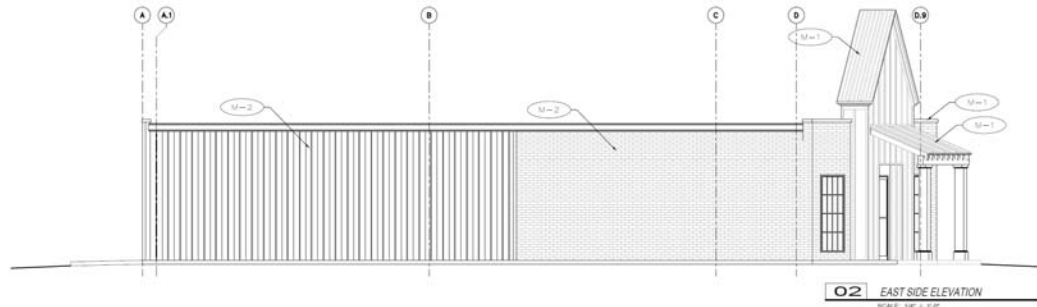
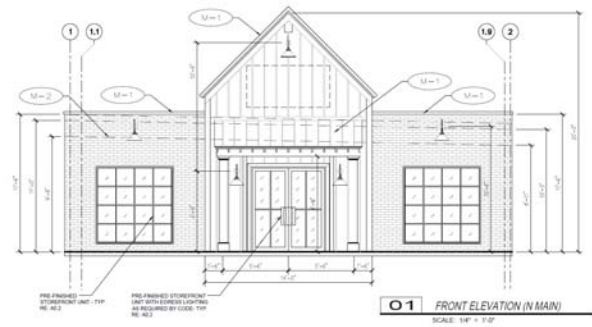
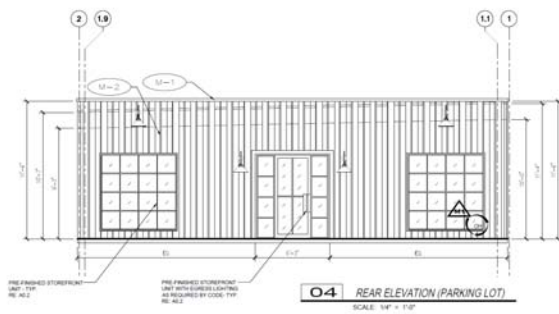
DEVELOPMENT PLAT VARIANCE





Houston Planning Commission

Elevations



DEVELOPMENT PLAT VARIANCE



Houston Planning Commission

VARIANCE REQUEST APPLICATION

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

APPLICANT COMPANY	CONTACT PERSON	PHONE NUMBER	EMAIL ADDRESS		
Beacon Land Services	Andrew Allemand	713-936-0280	aallemand@beaconland.net		
PROPERTY ADDRESS	FILE NUMBER	ZIP CODE	LAMBERT	KEY MAP	DISTRICT
3001 Canal Street, Houston	21089360	77003	5457D	494N	H
HCAD ACCOUNT NUMBER(S):		0230860000011			
PROPERTY LEGAL DESCRIPTION:		ALL LTS 9, 11, 12; PORTION LT 10, BLK 2, LOCKART			
PROPERTY OWNER OF RECORD:		The Pruitt Company, Inc., a Texas corporation			
ACREAGE (SQUARE FEET):		0.5765			
WIDTH OF ADJACENT RIGHTS-OF-WAY (ROW):		60' (N Palmer, Ennis, Canal); 67.50' (Canal)			
WIDTH OF EXISTING ROW PAVING SECTION(S):		Canal – 40.0'; N Palmer – 35.2'; Ennis – 39.8'			
OFF-STREET PARKING REQUIREMENT:		122			
OFF-STREET PARKING PROVIDED:		59			
EXISTING STRUCTURE(S) [SQ. FT.]:		16,000 SF			
PROPOSED STRUCTURE(S) [SQ. FT.]:		16,000 SF (retaining existing footprint)			

PURPOSE OF VARIANCE REQUEST: (1). To reduce the number of off-street parking spaces required by the ordinance, (2). to allow an off-site parking facility with valet services outside of the maximum distance requirement, and (3) to allow less than 25% of the code-required parking to be provided on-site.

CHAPTER 26 REFERENCE(S): 26-492, Small restaurant: 8.0 parking spaces for every 1,000 square feet of GFA and outdoor decks, patio and seating areas in excess of 15% of GFA . Neighborhood restaurant: 9.0 parking spaces for every 1,000 square feet of GFA and outdoor decks, patio and seating areas in excess of 15% of GFA;

Sec. 26-499. - Off-site parking, paragraph (a), "A parking space required by this article may be provided on off-site parking facilities if the following conditions are met: (3) Up to 75 percent of the required number of parking spaces for a freestanding class 7 use under section 26-492 of this Code may be provided on off-site parking facilities located up to 1,000 feet from a tract where the use classification is located if: a. The off-site parking facilities are used only for valet parking services in accordance with this chapter."

OFF-STREET PARKING VARIANCE



Houston Planning Commission

APPLICANT STATEMENT OF FACTS

SUMMARY OF VARIANCE CONDITIONS (BE AS COMPLETE AS POSSIBLE): Given the movement of the EADO/Canal Street region to a more pedestrian focused model, the applicant is requesting variances to allow a reduction in the number of off-street parking requirements and to allow a valet program beyond the maximum distance threshold to preserve an existing building footprint and provide much needed restaurant inventory.

APPLICANT'S STATEMENT OF FACTS:

The applicant must clearly identify how the requested variance meets the criteria in ALL items (1) through (5); and, if applicable, the sixth (6) condition. 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@cityofhouston.net.

(1) Either:

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

The applicant is proposing to redevelop the existing Pruitt Automotive Garage into a series of small and neighborhood restaurant spaces. This area is just blocks east of the newly applied Central Business District parking exemption area and about 1,000 feet northwest of the Transit Oriented Development parcels associated with Harrisburg Boulevard. The Navigation/Canal corridors are ideal candidates for pedestrian-focused development, but the City will need to work with applicants so they have the flexibility necessary to meet the intent of the City's regulations. The applicant is requesting a symbolic opt-in to the Walkable Places Ordinance that allows for a fifty-percent space reduction. They are also requesting to use a valet program on their property to the west, which is over the allowable 1,000-foot maximum distance away from the site. Given that the applicant is providing a pedestrian realm in excess of 20-feet featuring a 10-foot covered walkway, new street trees, bicycle spaces, and parallel parking, the request is reasonable and will be in the public's best interests.

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

The justification supporting the variances are the prevailing development character of the area and the need for flexibility to achieve the design form that matches the highest and best use for the land. Canal Street has seen a shift to pedestrian-focused, infill developments that don't require as many parking spaces on-site to meet the demands of the customers. By granting these variances, the Commission will enable the applicant to preserve the old Pruitt building's historic footprint and character while providing much needed restaurant stock.

OFF-STREET PARKING VARIANCE



Houston Planning Commission

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

While this area is not currently designated as a Walkable Place or Transit Oriented Development street, there is no doubt that the site is influenced and essentially part of both areas. EADO and the Canal Street corridor in particular has been trying desperately to move in a positive direction and this application represents a wonderful opportunity to help a developer that is trying to provide the type of pedestrian-friendly design that is so needed in the community.

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

Between the on-site spaces and the off-site parking/valet system, the site will have 59 designated spaces to service its customers. Given that the proposed uses are for small and neighborhood type restaurants in a pedestrian-focused region, that is certainly enough spaces to address the expected demand.

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

The current Pruitt Automotive Garage has a completely open curb cut system that allows for uncontrolled and relatively unsafe access to Canal Street, Ennis Street, and N Palmer Street. By approving this variance request, the City will catalyze a complete renovation of the space that will include dramatically reduced driveway aprons and a much safer parallel parking bank on Canal Street.

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

Not applicable

OFF-STREET PARKING VARIANCE



Houston Planning Commission

STANDARDS FOR VARIANCES

- (a) The commission is authorized to consider and grant a variance from the provisions of this article if the commission determines that the granting of a variance satisfies the following criteria:
- (1) Either:
 - c. The imposition of the terms, rules, conditions, policies and standards of this article would create an undue hardship by depriving the applicant of the reasonable use of the land; or
 - d. Strict application of the requirements of this article would make a project infeasible due to the existence of unusual physical characteristics that affect the property in question or would create an impractical development or one otherwise contrary to sound policy;
 - (2) That the circumstances supporting the granting of the variance are not the result of a hardship imposed or created by the applicant;
 - (3) The intent and general purposes of this article will be preserved;
 - (4) The number of proposed parking spaces will be sufficient to serve the use for which it is intended;
 - (5) The granting of the variance will not be injurious to the public health, safety or welfare; and
 - (6) If the building is subject to the requirements of article VII of chapter 33 of this Code, the granting of the variance is necessary to accomplish the purposes of a certificate of appropriateness issued pursuant to article VII of chapter 33 of this Code.
- (b) In addition, if the building or tract for which the variance is sought proposes to provide parking spaces on an off-site parking facility, the commission shall consider the following factors:
- (1) The locations of the proposed use classification and the proposed off-site parking facility;
 - (2) Existing and potential parking demand created by other use classifications in the vicinity;
 - (3) The characteristics of the use classification, including employee, customer, and patron parking demand, hours of operation, and projected convenience and frequency of use of the off-site parking facility;
 - (4) Adequacy, convenience, and safety of pedestrian access between off-site parking facilities and the tract where the use classification is located;
 - (5) Traffic patterns on adjacent streets, and proposed access to the off-site parking; and
 - (6) The recommendation of 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



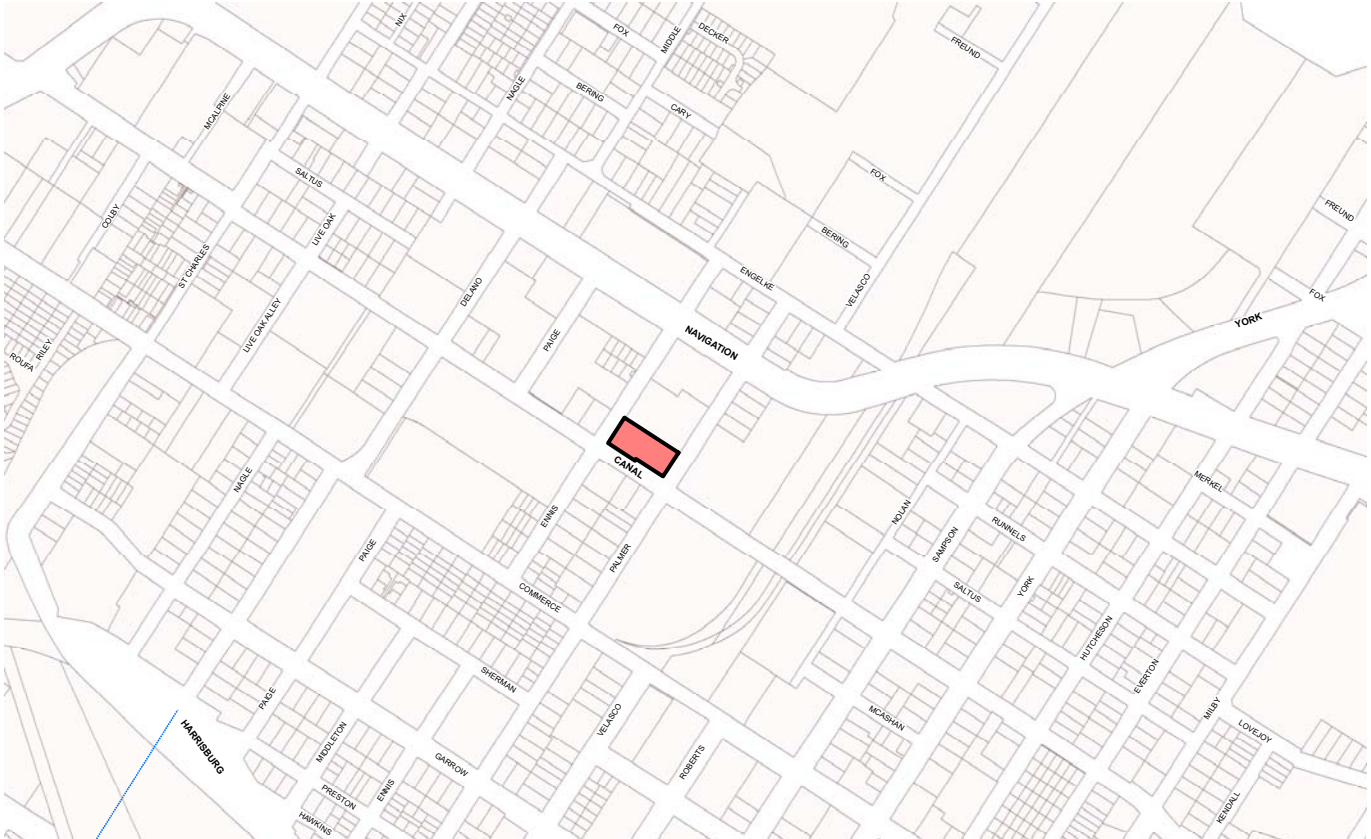
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DEPARTMENT

ITEM: IV

Meeting Date: 12/16/2021

Houston Planning Commission

Location Map



OFF-STREET PARKING VARIANCE



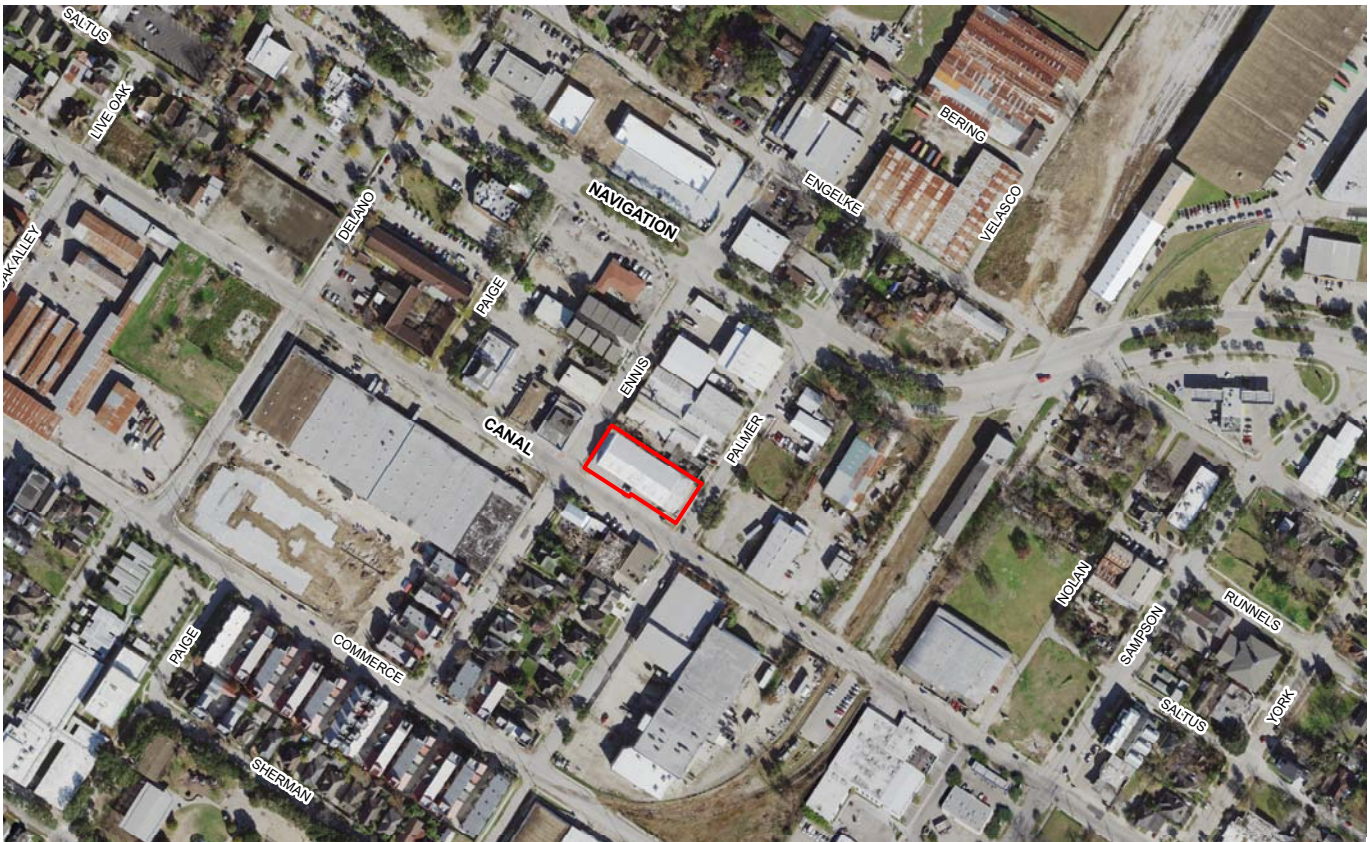
PLANNING &
DEVELOPMENT
DEPARTMENT

ITEM: IV

Meeting Date: 12/16/2021

Houston Planning Commission

Aerial Map



OFF-STREET PARKING VARIANCE

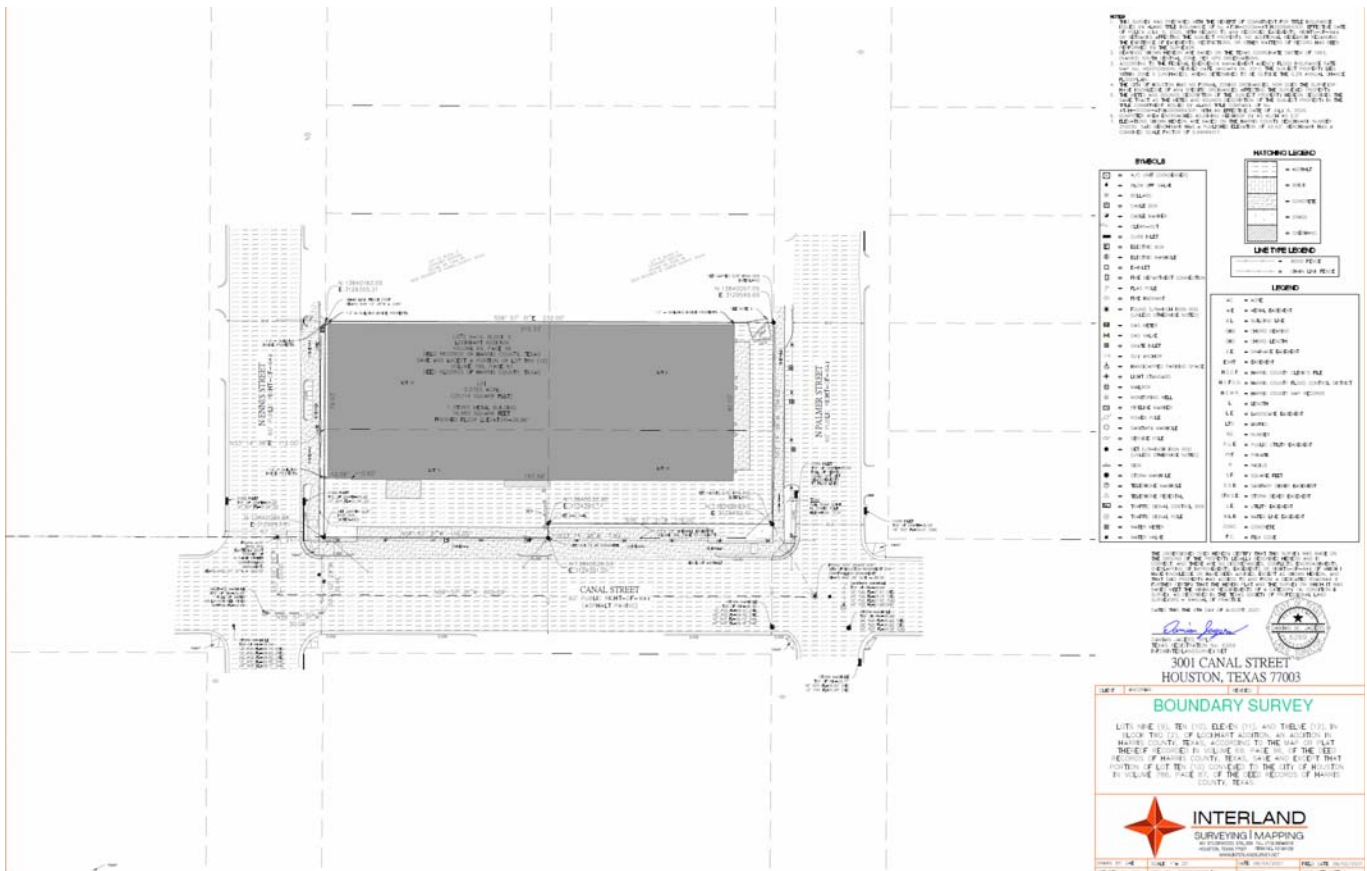


Houston Planning Commission

ITEM: IV

Meeting Date: 12/16/2021

Survey



OFF-STREET PARKING VARIANCE



Houston Planning Commission

ITEM: IV

Meeting Date: 12/16/2021

SITE PLAN



SITE PLAN

SCHEME A - 07/12/2021

M21-01-T0197

PROJECT SUMMARY

JURISDICTION: CITY OF HOUSTON

TOTAL LAND: ±0.58 ACRES

PARKING CLASSIFICATION

NEIGHBORHOOD RESTAURANT = 9.0 PARKING SPACES FOR EVERY 1,000 SQUARE FEET OF GFA AND OUTDOOR DECKS, PATIO, AND SEATING AREAS IN EXCESS OF 15% OF GFA

SMALL RESTAURANT = 8.0 PARKING SPACES FOR EVERY 1,000 SQUARE FEET OF GFA AND OUTDOOR DECKS, PATIO, AND SEATING AREAS IN EXCESS OF 15% OF GFA

BUILDING AREA = 16,000 SQ FT GFA

	% of coverage	Req Parking per 1,000 sf	Incremental Req Per 1,000 sf	Incremental Req
Small Restaurant	44%	8	4	22.4
Neighborhood Restaurant	56%	9	5	36.0
Incremental Requirement				58.4
Shopping Center Base Req				64
Total Required				122.4
Walkable Places Reduc (1)		50%		-61.2
Bicycle Reduction		10%		-12.2
Total Reduction				-73.4
New Total for Strip Center				49
Provided Onsite (2)				11
Provided Offsite (3)				48
Total Provided				59

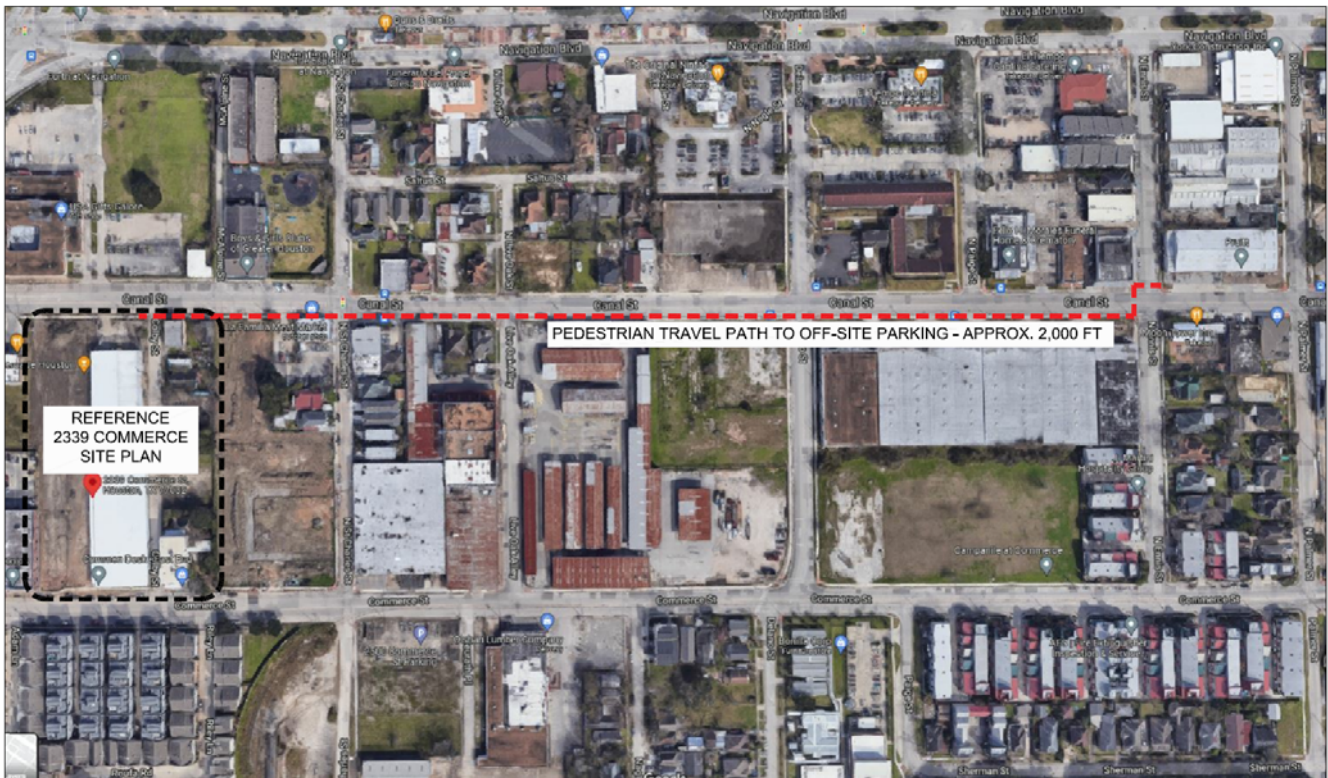
OFF-STREET PARKING VARIANCE



Houston Planning Commission

Off-Site Parking

3001 CANAL STREET . HOUSTON, TX



AERIAL VIEW



NOT TO SCALE

OFF-STREET PARKING VARIANCE