Minutes of the Houston Planning Commission

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

September 5, 2013
Meeting to be held in
Council Chambers, Public Level, City Hall Annex
2:30 p.m.

Call to order:

Chair Mark Kilkenny called the meeting to order at 2:36 p.m. with a quorum present.

Mark A. Kilkenny, Chair
M. Sonny Garza
Susan Alleman
Keiji Asakura
Fernando Brave
Kenneth Bohan
Antoine Bryant
Lisa Clark
Brandon Dudley
Truman C. Edminster III
James R. Jard
Paul R. Nelson
Linda Porras-Pirtle
Algenita Davis
Martha Stein
Eileen Subinsky
Blake Tart III
Shaukat Zakaria
Mark Mooney for
James Noack
Richard Stolleis for
The Honorable Grady Prestage
Raymond Anderson for
The Honorable Ed Emmett

EXOFFICIO MEMBERS

Carol A. Lewis
Daniel W. Krueger, P.E.
DIRECTOR’S REPORT
The Director’s Report was given by Marlene Gafrick, Director, Planning and Development Department.

APPROVAL OF THE AUGUST 22, 2013 PLANNING COMMISSION MEETING MINUTES
Commission action: Approved the August 1 and August 8, 2013 Planning Commission meeting minutes.
   Motion: Clark       Second: Bryant       Vote: Carries       Abstaining: Zakaria

I. PLATTING ACTIVITY   (Consent items A and B, 1-92)
Items removed for separate consideration: 12, 23, 24, 26, 27, 41, 42, 43, 44, 45 and 52.
Staff recommendation: Approve staff’s recommendations for items 1 – 92 subject to the CPC 101 form conditions.
Commission action: Approved staff’s recommendations for items 1 – 92 subject to the CPC 101 form conditions.
   Motion: Bryant       Second: Alleman       Vote: Unanimous       Abstaining: None

Commissioners Alleman, Clark and Edminster abstained and left the room.

Staff recommendation: Approve staff’s recommendations for items 12, 23, 24, 26, 27, 41, 42, 43, 44, 45 and 52 subject to the CPC 101 form conditions.
Commission action: Approved staff’s recommendations for items 12, 23, 24, 26, 27, 41, 42, 43, 44, 45 and 52 subject to the CPC 101 form conditions.
   Motion: Subinsky       Second: Bohan       Vote: Unanimous       Abstaining: None

Commissioners Alleman, Clark and Edminster returned.

C PUBLIC HEARINGS

93 Bellwood Sec 2 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: Edminster       Second: Clark       Vote: Unanimous       Abstaining: None

94 East Sunnyside Court partial replat no 2       C3N       Approve
Staff recommendation: Approve the plat subject to the CPC 101 form conditions.
Commission action: Approved the plat subject to the CPC 101 form conditions.
   Motion: Porras-Pirtle       Second: Davis       Vote: Unanimous       Abstaining: None
Speakers for item 116: Councilmember Helena Brown; John C. Stephen, Angela McGinnis and John Rahmatian – opposed; Christine Powell – conditional; Richard Smith - Public Works and Engineering

95 Parkhurst Estates Sec 3 partial replat no 1       C3N       Approve
Staff recommendation: Grant the requested variances and approve the plat subject to the CPC 101 form conditions.
Commission action: Granted the requested variances and approved the plat subject to the CPC 101 form conditions.
   Motion: Alleman       Second: Clark       Vote: Unanimous       Abstaining: None
96  Raintree Place Sec 3 replat no 1  C3N  Disapprove
   Staff recommendation: Deny the requested variance and disapprove the plat.
   Commission action: Denied the requested variance and disapproved the plat.
   Motion: Nelson  Second: Zakaria  Vote: Carries  Opposed: Asakura,

Davis, Garza and Subinsky
Speakers for item 96: Mary Lou Henry – applicant; Councilmember Oliver Pennington, Lou
Cushman, Jerald Turnoff, Bert Keller, Joe Slovacek, Mike Maher – opposed; Reid Wilson, Katheryn
Ketelsen, and Bob Collins – supportive; Arva Howard – Attorney, City of Houston Legal Department

97  Shady Acres extension no 3 partial replat no 1  C3N  Defer
   Staff recommendation: Defer the plat for two weeks at the applicant’s request and continue the public
   hearing at that time.
   Commission action: Deferred the plat for two weeks at the applicant’s request and continue the
   public hearing at that time.
   Motion: Jard  Second: Brave  Vote: Unanimous  Abstaining: None

98  Towns at Seville 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: Asakura  Second: Brave  Vote: Unanimous  Abstaining: None

99  West Oaks plat no 2 partial replat no 2  C3N  Approve
   Staff recommendation: Approve the plat subject to the CPC 101 form conditions.
   Commission action: Approved the plat subject to the CPC 101 form conditions.
   Motion: Garza  Second: Alleman  Vote: Unanimous  Abstaining: None
Speakers for item 99: Brook Minx – no position stated; Tam Zabez - opposed

100  Westheimer Estates partial replat no 2  C3N  Approve
   Staff recommendation: Approve the plat subject to the CPC 101 form conditions.
   Commission action: Approved the plat subject to the CPC 101 form conditions.
   Motion: Bryant  Second: Bohan  Vote: Unanimous  Abstaining: None

D  VARIANCES

101  Braun  C2R  Approve
   Staff recommendation: Grant the requested variance and approve the plat with the condition that
   applicant will be required to provide landscaping along Montrose and West Gray and subject to the
   CPC 101 form conditions.
   Commission action: Grant the requested variance and approve the plat with the condition that
   applicant will be required to provide a 15’ x 15’ visibility triangle at the corner of Montrose and W Gray
   with no obstructions (ornamental fencing, half walls, benches, door swings) other than the structural
   column as shown in the site plan and provide landscaping along Montrose and West Gray and
   subject to the CPC 101 form conditions.
   Motion: Brave  Second: Bryant  Vote: Carries  Opposed: Jard and

Nelson
Speaker for item 101: Richard Smith, Managing Engineer, City of Houston Public Works and
Engineering Department
Items 102 and 103 were taken together at this time.

102  Country Lake Estates Village GP  GP  Approve
103  Country Lake Estates Village Sec 1  C3R  Approve
Staff recommendation: Grant the requested variances and approve the general plan and the plat subject to the CPC 101 form conditions.
Commission action: Grant the requested variances and approved the general plan and the plat subject to the CPC 101 form conditions.
Motion: Davis  Second: Clark  Vote: Unanimous  Abstaining: None

104  Energy Park West  C2  Approve
Staff recommendation: Grant the requested variance and approve the plat subject to the CPC 101 form conditions.
Commission action: Granted the requested variance and approved the plat subject to the CPC 101 form conditions.
Motion: Subinsky  Second: Clark  Vote: Unanimous  Abstaining: None

105  Falls at Dry Creek GP  GP  Defer
106  Falls at Dry Creek Sec 1  C3P  Defer
Staff recommendation: Defer the plat for two weeks at the applicant’s request.
Commission action: Deferred the plat for two weeks at the applicant’s request.
Motion: Subinsky  Second: Clark  Vote: Unanimous  Abstaining: None

107  Geospace Tech  C3P  Approve
Staff recommendation: Grant the requested variances not to extend Langtry and Northfield through the subject site but provide a cul-de-sac at the end of Langtry.
Commission action: Granted the requested variances not to extend Langtry and Northfield through the subject site but provide a cul-de-sac at the end of Langtry.
Motion: Jard  Second: Edminster  Vote: Unanimous  Abstaining: None
Speakers for item 107: Scott Lisman – opposed; Zeeba Paksima, applicant - supportive

108  Magnolia Park Sec 2 partial replat no 3  C2R  Approve
Staff recommendation: Grant the requested variance and approve the plat subject to the CPC 101 form conditions.
Commission action: Granted the requested variance and approved the plat subject to the CPC 101 form conditions.
Motion: Davis  Second: Asakura  Vote: Unanimous  Abstaining: None

Items 109 and 110 are taken together at this time.

109  Plantation Lakes GP  GP  Approve
110  Plantation Lakes Sec 18  C3P  Approve
Staff recommendation: Grant the requested variance and approve the general plan and the plat subject to the CPC 101 form conditions.
Commission action: Granted the requested variance and approved the general plan and the plat subject to the CPC 101 form conditions.
Motion: Davis  Second: Taritt  Vote: Unanimous  Abstaining: None
111  Robita Commons  C3R  Approve
Staff recommendation: Grant the requested variances and approve the plat subject to the following 5 conditions: 1) Provide a 5’ sidewalk along Robita Street 2) Provide 3” caliper street trees along Robita Street pursuant to Chapter 33 species and space requirements 3) The applicant must coordinate with all the adjacent property owners along Robita Street and provide a recorded mutual use agreement of Robita Street at the time of recordation 4) The applicant must meet with both Planning Department and Public Works and Engineering Department staff to discuss the Improvement Plan of Robita Street and provide an approved plan at the final plat submittal 5) Address a fire hydrant at the intersection of Robita Street and West Dallas Street as indicated on the marked file copy and subject to the CPC 101 form conditions.
Commission action: Granted the requested variances and approved the plat subject to the following 5 conditions: 1) Provide a 5’ sidewalk along Robita Street 2) Provide 3” caliper street trees along Robita Street pursuant to Chapter 33 species and space requirements 3) The applicant must meet with both Planning Department and Public Works and Engineering Department staff to discuss the Improvement Plan of Robita Street and provide an approved plan at the final plat submittal 4) Address a fire hydrant at the intersection of Robita Street and West Dallas Street as indicated on the marked file copy and subject to the CPC 101 form conditions.
  Motion: Brave   Second: Jard   Vote: Unanimous   Abstaining: None
Speakers for item 111: Patricia Knudson Joiner, Andrew Kaldi and Peter Brown – no position stated

112  South Belt Business Park  C2R  Withdraw

Items 113 and 114 are taken together at this time.

113  Spring Towne Center GP  GP  Approve
114  Premier at Spring Towne Center  C3P  Approve
Staff recommendation: Grant the requested variances and approve the general plan and the plat subject to the CPC 101 form conditions.
Commission action: Granted the requested variances and approved the general plan and the plat subject to the CPC 101 form conditions.
  Motion: Clark   Second: Bryant   Vote: Unanimous   Abstaining: None

115  Thomas Park  C2  Defer
Staff recommendation: Grant the requested variances and approve the plat subject to the CPC 101 form conditions.
Commission action: Granted the requested variances and approved the plat subject to the CPC 101 form conditions.
  Motion: Bryant   Second: Subinsky   Vote: Unanimous   Abstaining: None

Items 116 and 117 are taken together at this time.

116  Twin Falls GP  GP  Approve
117  Twin Falls Sec 4  C3P  Approve
Staff recommendation: Grant the requested variance and special exception and approve the general plan and the plat subject to the CPC 101 form conditions.
Commission action: Granted the requested variance and special exception and approve the general plan and the plat subject to the CPC 101 form conditions.
  Motion: Davis   Second: Clark   Vote: Unanimous   Abstaining: None
E  SPECIAL EXCEPTIONS

Items 119 and 120 are taken together at this time.

119  Laurel Park GP  C2  Approve
120  Laurel Park Sec 1  C3P  Approve

Staff recommendation: Grant the requested special exceptions and approve the general plan and the plat subject to the CPC 101 form conditions.

Commission action: Granted the requested special exceptions and approved the general plan and the plat subject to the CPC 101 form conditions.

Motion: Clark  Second: Alleman  Vote: Unanimous  Abstaining: None

F  RECONSIDERATION OF REQUIREMENTS

121  Dove Crosby  C2  Approve

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

Commission action: Grant the requested variance and approve the plat subject to the CPC 101 form conditions.

Motion: Brave  Second: Alleman  Vote: Unanimous  Abstaining: None

122  Park Place  C2R  Approve

Staff recommendation: Grant the requested reconsideration of requirement with variance request and approve the plat subject to the following conditions 1) the proposed project must provide 3" caliper trees and 5' sidewalks 2) enhanced landscaping which includes vegetation to soften the garage screening on the first floor and subject to the CPC 101 form conditions.

Commission action: Granted the requested reconsideration of requirement with variance request and approve the plat subject to the following conditions 1) the proposed project must provide 3" caliper trees and 5' sidewalks 2) enhanced landscaping which includes vegetation to soften the garage screening on the first floor and subject to the CPC 101 form conditions.

Motion: Asakura  Second: Tatt  Vote: Unanimous  Abstaining: None

Speakers for item 122: Mark Leago, Lauren Barish, and Leslie Sharp – supportive; Elizabeth Mason – opposed; Richard Smith- Managing Engineer, City of Houston Public Works and Engineering Department

G  ADMINISTRATIVE

NONE

H  DEVELOPMENT PLAT VARIANCE

123  2126 Bank Street  DPV  Approve

Staff recommendation: Grant the requested variance.

Commission action: Granted the requested variance.

Motion: Zakaria  Second: Asakura  Vote: Unanimous  Abstaining: None

124  513 Hill Road  DPV  Approve

Staff recommendation: Grant the requested variances.

Commission action: Granted the requested variances.

Motion: Clark  Second: Subinsky  Vote: Unanimous  Abstaining: None
I Certificates of Compliance and J Extensions of Approval and Name Changes were taken together at this time.

I  CERTIFICATES OF COMPLIANCE

126  23646 Daffodil Lane  COC  Approve

J  EXTENSIONS OF APPROVAL AND NAME CHANGES

127  Summerwood South Drainage Channel  EOA  Approve
    Subdivision

128  Terra Verde Community Church Subdivision  EOA  Approve
    Staff recommendation: Approve staff’s recommendation for items 126-128.
    Commission action: Approved staff’s recommendation for items 126-128.
    Motion: Tattt  Second: Garza  Vote: Unanimous  Abstaining: None

II.  ESTABLISH A PUBLIC HEARING DATE OF OCTOBER 3, 2013

a. Memas
b. River Oaks Sec 4 partial replat no 1
c. Rutland Park Addition partial replat no 3
d. Winlow Place partial replat no 2

Staff recommendation: Establish a public hearing date of October 3, 2013 for items Ii a-d.
Commission action: Established a public hearing date of October 3, 2013 for items II a-d.
    Motion: Bryant  Second: Bohan  Vote: Unanimous  Abstaining: None

III. CONSIDERATION OF A LANDSCAPE VARIANCE FOR A PROPERTY LOCATED AT 909 WASHINGTON AVENUE

Staff recommendation: Grant the requested landscape variance.
Commission action: Granted the requested landscape variance.
    Motion: Jard  Second: Bohan  Vote: Unanimous  Abstaining: None
    Speaker for item III- Jerry Gainer – supportive

IV. CONSIDERATION OF AN APPEAL OF THE DECISION OF THE HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION ON AUGUST 14, 2013 FOR THE DENIAL OF A CERTIFICATE OF APPROPRIATENESS FOR

Commissioner Edminster abstained and left the room on item IV-a.

a. 605 Silver Street- Old Sixth Ward Historic District

Staff recommendation: No recommendation given.
Commission action: Determined that the project meets the criteria for an alteration/addition, not new construction criteria.
    Motion: Brave  Second: Bryant  Vote: Carries  Opposed: Jard

Commission action: Overturned the Houston Archaeological and Historical Commission’s decision to deny a Certificate of Appropriateness for 605 Silver Street- Old Sixth Ward Historic District
    Motion: Zakaria  Second: Garza  Vote: Carries  Opposed: Asakura,

Brave and Jard
Speakers for item IV (a): Robert Burnham (applicant), Sue Lovell, and Janice Jamail-Garvis – support appeal; Jane West and Tricia Minor, James Schriver, Ryan Boehner, Brantly Minor, Ryan Trainer – oppose appeal

b. 1610 Cortlandt Street – Houston Heights Historic District East
Staff recommendation: No recommendation given.
Commission action: Overturned the Houston Archaeological and Historical Commission’s decision to deny a Certificate of Appropriateness for 1610 Cortlandt Street- Houston Heights Historic District East
Motion: Jard    Second: Edminster    Vote: Carries    Opposed: Alleman, Anderson, Brave, Garza, Stein and Nelson    Abstaining: Zakaria
Speakers for item IV (b): Ken Murphy, Sue Lovell, Rit Johnson, and Jeremy McFarland and Jason Starr – support appeal

c. 1322 Tulane Street – Houston Heights Historic District West
Staff recommendation: No recommendation given.
Commission action: Overturned the Houston Archaeological and Historical Commission’s decision to deny a Certificate of Appropriateness for 1322 Tulane Street- Houston Heights Historic District West
Motion: Jard    Second: Bohan    Vote: Carries    Opposed: Garza and Brave
Speakers for item IV (c): Brian Gamble, Sue Lovell and Drew Ordrey – support appeal

V. PUBLIC COMMENT
Sue Lovell commented about the need to review the Historic Preservation ordinance and Design Guidelines.

VI. EXCUSE THE ABSENCES OF COMMISSIONER ZAKARIA
Commissioner Zakaria was present so no action was needed.

VII. ADJOURNMENT
There being no further business brought before the Commission Chair, Mark Kilkenny adjourned the meeting at 6:56 p.m.
Motion: Clark    Second: Edminster    Vote: Unanimous    Abstaining: None

Mark Kilkenny, Chair

Marlene Gafriick, Secretary