

Minutes of the Houston Planning Commission

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

October 31, 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 2:40 p.m. with a quorum present.

Mark A. Kilkenny, Chair

M. Sonny Garza

Susan Alleman

Keiji Asakura

Absent

Fernando Brave

Kenneth Bohan

Antoine Bryant

Arrived at 2:43 during agenda item I

Lisa Clark

Brandon Dudley

Truman C. Edminster III

James R. Jard

Paul R. Nelson

Linda Porrás-Pirtle

Algenita Davis

Absent

Martha Stein

Absent

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 OCTOBER 17, 2013 PLANNING COMMISSION MEETING MINUTES

Commission action: Approved the October 17, 2013 Planning Commission meeting minutes.

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

I. PLATTING ACTIVITY (Consent items A and B, 1- 98)

Items removed for separate consideration: **14 and 58 to allow for speakers.**

Staff recommendation: Approve staff's recommendations for items **1 – 98** subject to the CPC 101 form conditions.

Commission action: Approved staff's recommendations for items **1 – 98** subject to the CPC 101 form conditions.

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

Item 14 was presented at this time.

Staff recommendation: Approve staff's recommendation to approve item **14** subject to the CPC 101 form conditions.

Commission action: Approved staff's recommendation to approve item **14** subject to the CPC 101 form conditions.

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

Speaker for item 14: Era N. Ford – opposed

Item 58 was presented at this time.

Staff recommendation: Approve staff's recommendation to defer item **58** subject to the CPC 101 form conditions.

Commission action: Approved staff's recommendation to defer item **58** subject to the CPC 101 form conditions.

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

C PUBLIC HEARINGS

99 Benders Landing Sec 2 partial replat no 1 C3N Approve

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

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

Motion: **Garza** Second: **Bryant** Vote: **Carries** Abstaining: **Mooney**

Speakers for item 99: Mike McGee, Sharon McGee, Steve Austin – opposed; Debbie Allison and John Guenther - undecided

100 Bingham Estates replat no 1 and extension 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**

Speaker for item 100: Diego Reyes - supportive

101 Evans Estate 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: **Mooney** Second: **Clark** Vote: **Unanimous** Abstaining: **None**

- 102 Hyde Park Addition partial replat no 1 C3N Approve**
 Staff recommendation: Approve the plat subject to the CPC 101 form conditions.
 Commission action: Approved the plat subject to the CPC 101 form conditions.
 Motion: **Garza** Second: **Alleman** Vote: **Unanimous** Abstaining: **None**
- 103 Idylwood partial replat no 1 C3N Approve**
 Staff recommendation: Approve the plat subject to the CPC 101 form conditions.
 Commission action: Approved the plat subject to the CPC 101 form conditions.
 Motion: **Garza** Second: **Alleman** Vote: **Unanimous** Abstaining: **None**
 Speaker for item 103: Christopher Barboza - opposed
- 104 Melody Oaks partial replat no 5 C3N Approve**
 Staff recommendation: Approve the plat subject to the CPC 101 form conditions.
 Commission action: Approved the plat subject to the CPC 101 form conditions.
 Motion: **Porras-Pirtle** Second: **Bryant** Vote: **Unanimous** Abstaining: **None**
- 105 Rutland Park Addition Partial Replat No. 3 C3N Approve**
 Staff recommendation: Approve the plat subject to the CPC 101 form conditions.
 Commission action: Approved the plat subject to the CPC 101 form conditions.
 Motion: **Clark** Second: **Alleman** Vote: **Unanimous** Abstaining: **None**
- 106 Spring Branch Estates no 2 partial replat no 7 C3N Withdrawn**
 Staff recommendation: Withdraw the plat and establish a public hearing date of December 5, 2013.
 Commission action: Withdrew the plat and established a public hearing date of December 5, 2013.
 Motion: **Garza** Second: **Bryant** Vote: **Unanimous** Abstaining: **None**
- 107 Whispering Pines Estates partial replat no 5 C3N Approve**
 Staff recommendation: Approve the plat subject to the CPC 101 form conditions.
 Commission action: Approved the plat subject to the CPC 101 form conditions.
 Motion: **Subinsky** Second: **Clark** Vote: **Unanimous** Abstaining: **None**
- 108 Woodland Heights 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: **Clark** Vote: **Unanimous** Abstaining: **None**
- 109 Woodland Oaks Section 1 partial replat no 1 C3N Approve**
and extension
 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: **Edminster** Second: **Alleman** Vote: **Unanimous** Abstaining: **None**

D VARIANCES

Items 116, 118, 124, 126, 130, 131, 132, and 134 were taken together at this time with staff requesting a two week deferral on all items.

116	Bauer Trails replat no 1	C3P	Defer
118	Cinco Ranch Northwest GP	GP	Defer
124	Irish Pub Kenneallys	C2R	Defer
126	Menil Drawing Institute	C3R	Defer
130	Resurrection Catholic Church	C3R	Defer
131	Silver Ranch GP	GP	Defer
132	South Acres Ranch GP	GP	Defer
134	Teran Estate	C2	Defer

Staff recommendation: Defer the plats for two weeks for the reasons stated.

Commission action: Deferred the plats for two weeks for the reasons stated.

Motion: **Bohan** Second: **Subinsky** Vote: **Unanimous** Abstaining: **None**

110 Above and Beyond Fellowship C3P 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 approve the plat subject to the CPC 101 form conditions.

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

Items 111, 112, and 113 were taken together at this time.

111	Aliana GP	GP	Approve
112	Aliana Sec 28	C3P	Approve
113	Aliana Sec 36	C3P	Approve

Staff recommendation: Grant the requested variances and approve the general plan and the plats subject to the CPC 101 form conditions.

Commission action: Granted the requested variance and approved the general plan and the plats subject to the CPC 101 form conditions.

Motion: **Stolleis** Second: **Mooney** Vote: **Unanimous** Abstaining: **None**

Commissioner Edminster abstained and left the room.

114 Atascocita Trace GP GP Approve

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

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

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

115 Atascocita Trace Sec 2 C3P 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 plat subject to the CPC 101 form conditions.

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

Commissioner Edminster returned.

117 Bridgeview Louetta

C3P

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: **Garza**

Second: **Clark**

Vote: **Unanimous**

Abstaining: **None**

Commissioner Edminster abstained and left the room.

119 City View

C2

Defer

Staff recommendation: Defer the plat for two weeks for Chapter 42 planning standards.

Commission action: Deferred the plat for two weeks for Chapter 42 planning standards.

Motion: **Bryant**

Second: **Nelson**

Vote: **Unanimous**

Abstaining: **None**

Commissioner Edminster returned.

120 Cottages at Spring Branch Creek

C3P

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: **Jard**

Second: **Porras-Pirtle**

Vote: **Unanimous**

Abstaining: **None**

121 Cumberland Creek GP

GP

Approve

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

Commission action: Granted the requested variance and special exception and approved the plat subject to the CPC 101 form conditions.

Motion: **Subinsky** Second: **Bohan**

Vote: **Unanimous**

Abstaining: **None**

122 Durham Complex

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: **Garza**

Second: **Bryant**

Vote: **Unanimous**

Abstaining: **None**

123 Fisher Place at Rutland Park

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: **Garza**

Second: **Clark**

Vote: **Unanimous**

Abstaining: **None**

125 Meldrum Commercial Reserve **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 17' of ROW dedication for Judwin Street must be dedicated along the northern property boundary and subject to the CPC 101 form conditions. This dedication will become public ROW upon the dedication of the remaining ROW for Judwin by the abutting property owner. The ultimate ROW width of Judwin Street will be 50'.
 Motion: **Edminster** Second: **Zakaria** Vote: **Unanimous** Abstaining: **None**
 Speakers for item 125: Rob Lawson and Sue Lawson – opposed; Robert Ness, applicant – supportive; Richard Smith, City of Houston Public Works and Engineering Department

127 Northgate Town Plaza **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: **Jard** Second: **Edminster** Vote: **Unanimous** Abstaining: **None**

128 Parkside Kuykendahl **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: **Clark** Second: **Edminster** Vote: **Unanimous** Abstaining: **None**

129 Physicians Center PPC Specialty Clinic **C2** **Approve**
 Staff recommendation: Grant the requested variance for a dual building line for the life of the structure and approve the plat subject to the CPC 101 form conditions.
 Commission action: Granted the requested variance for a dual building line for the life of the structure and approved the plat subject to the CPC 101 form conditions.
 Motion: **Garza** Second: **Clark** Vote: **Unanimous** Abstaining: **None**

133 Splash Detail replat no 1 **C2R** **Defer**
 Staff recommendation: Grant the requested variance and approve the plat subject to the CPC 101 form conditions.
 Commission action: Deferred for further study.
 Motion: **Garza** Second: **Jard** Vote: **Unanimous** Abstaining: **None**
 Speakers for item 133: Mary Lou Henry, applicant- supportive; Stephen Kennedy – opposed

135 Villas at Yale Square **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: **Garza** Second: **Bohan** Vote: **Unanimous** Abstaining: **None**

E SPECIAL EXCEPTIONS
NONE

F RECONSIDERATION OF REQUIREMENTS

136 Brunswick Meadows Sec 14 C3P Approve
Staff recommendation: Grant the requested special exception and approve the plat subject to the CPC 101 form condition.
Commission action: Granted the requested special exception and approve the plat subject to the CPC 101 form conditions.
Motion: **Porras-Pirtle** Second: **Bryant** Vote: **Unanimous** Abstaining: **None**

**G ADMINISTRATIVE
NONE**

H DEVELOPMENT PLAT VARIANCE

137 1134 Bayland Ave DPV Approve
Staff recommendation: Grant the requested variance.
Commission action: Granted the requested variance.
Motion: **Edminster** Second: **Brave** Vote: **Unanimous** Abstaining: **None**

138 1611 Colquit DPV Approve
Staff recommendation: Grant the requested variances and the development plat.
Commission action: Granted the requested variances and the development plat.
Motion: **Jard** Second: **Edminster** Vote: **Unanimous** Abstaining: **None**
Speakers for item 138: Mary Lou Henry – applicant; Elizabeth Hamilton - opposed, GarthWhittington-supportive; Joanna Spires – opposed

139 9235 Kingsville Street DPV Approve
Staff recommendation: Grant the requested variance subject to requiring two 3” caliper trees.
Commission action: Granted the requested variance subject to requiring two 3” caliper trees.
Motion: **Porras-Pirtle** Second: **Clark** 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

140	18607 Clover Path	COC	Approve
141	21074 Briar Chase Drive	COC	Approve
142	21000 McGarger Drive	COC	Approve
143	22864 Chaparral Circle	COC	Approve
144	25454 Needham Road	COC	Approve

J EXTENSIONS OF APPROVAL AND NAME CHANGES

145	Towne Lake Sec 17	EOA	Approve
146	Van Jones Sec 1	EOA	Approve
147	Waterstone Drainage Reserve and and Waterstone Crest Drive extension no 2	EOA EOA	Approve Approve

Staff recommendation: Approve staff's recommendation for items **130-136**.

Commission action: Approved staff's recommendation for items **130-136**.

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

III. ESTABLISH A PUBLIC HEARING DATE OF DECEMBER 5, 2013

- a. Amended Plat of Almeda Place partial replat no 3**
- b. Autumn Run Sec 1 partial replat no 1**
- c. Eado Place**
- d. Eldridge View Sec 3 partial replat no 1**

Staff recommendation: Establish a public hearing date of December 5, 2013 for items **II a-d**.

Commission action: Established a public hearing date of December 5, 2013 for items **II a-d**.

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

IV. CONSIDERATION OF A LANDSCAPE VARIANCE FOR A PROPERTY LOCATED AT 4103 COOK ROAD

The application was withdrawn by the applicant.

V. CONSIDERATION OF AN APPEAL OF THE DECISION OF THE HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION ON OCTOBER 10, 2013 FOR A CERTIFICATE OF APPROPRIATENESS FOR:

- a. 523 Harvard Street- Houston Heights Historic District South**

Commission action: Overturned the decision of the Houston Archaeological and Historical Commission to deny a Certificate of Appropriateness for 523 Harvard Street-Houston Heights Historic District South

Motion: **Jard** Second: **Nelson** Vote: **Carries** Abstaining: **Tartt**

Speakers for item Va: Bill Riley, Sue Lovell, Fred Kitziger – support appeal

- b. 1213 Harvard Street- Houston Heights Historic District East**

Commission action: Upheld the decision of the Houston Archaeological and Historical Commission to deny a Certificate of Appropriateness for 1213 Harvard Street-Houston Heights Historic District East

Motion: **Garza** Second: **Brave** Vote: **Carries** Abstaining: **Porras-Pirtle**
Opposed: **Nelson, Tartt, Jard**

Speakers for item Vb: Jim Zucker, Tricia Zucker, Scott Kelman, Wyatt Dowling, Stephanie Sullivan, Chris Porter, Brie Kelman, Jordan Fairchild, Gilbert Perez, Fred Kitziger, Eric W. Bahrenburg, and Mark DiBella – support appeal; Kent Marsh – oppose appeal

- c. 415 W 12th Street – Houston Heights Historic District West**

Commission action: Overturn the decision of the Houston Archaeological and Historical Commission to deny a Certificate of Appropriateness for 415 W 12th Street – Houston Heights Historic District West.

Motion: **Jard** Second: **Tartt** Vote: **Carries** Abstaining: **Clark**

Opposed: **Brave, Anderson, Garza and Alleman**

Speakers for item Vc: Michael Bastian and Sue Lovell- support appeal

d. 1232 Arlington Street-Houston Heights Historic District East
Upheld the decision of the Houston Archaeological and Historical Commission to deny a Certificate of Appropriateness for 1213 Harvard Street-Houston Heights Historic District East

Motion: **Garza** Second: **Subinsky** Vote: **Carries** Abstaining: **Alleman**

Opposed: **Nelson, Tartt, Jard and Edminster**

Speakers for item Vd: Jeff Smith and Gilbert Perez- support appeal; Kent Marsh – oppose appeal

VI. PUBLIC COMMENT

Sue Lovell

VII. ADJOURNMENT

There being no further business brought before the Commission Chair, Mark Kilkenny adjourned the meeting at 7p.m.

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



Mark Kilkenny, Chair



Marlene Gafrick, Secretary