

# **HOUSTON PLANNING COMMISSION**

## **AGENDA**

**SEPTEMBER 16, 2010**



**COUNCIL CHAMBER  
CITY HALL ANNEX  
2:30 P.M.**

# PLANNING COMMISSION MEMBERS



Mark A. Kilkenny, *Chair*  
M. Sonny Garza, *Vice Chair*  
Susan Alleman  
Christopher B Amandes  
Keiji Asakura  
J.D. Bartell  
James R. Jard  
Paul R. Nelson  
Linda Porras-Pirtle  
Robin Reed  
Richard A. Rice  
David Robinson  
Jeff Ross  
Algenita Scott Segars  
Talmadge Sharp, Sr.  
Blake Tart III  
Beth Wolff  
Shaukat Zakaria

The Honorable Grady Prestage, P. E.  
*Fort Bend County*  
The Honorable Ed Emmett  
*Harris County*  
The Honorable Ed Chance  
*Montgomery County*

## **ALTERNATE MEMBERS**

D. Jesse Hegemier, P. E.  
*Fort Bend County*  
Jackie L. Freeman, P. E.  
*Harris County*  
Mark J. Mooney, P.E.  
*Montgomery County*

## **EX- OFFICIO MEMBERS**

Carol Lewis, Ph.D.  
Daniel Krueger, P.E.  
Dawn Ullrich  
George Greanias

## **SECRETARY**

Marlene L. Gafrick

## Meeting Policies and Regulations

### Order of Agenda

Planning Commission may alter the order of the agenda to consider 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 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:

1. Anyone wishing to speak before the Commission must sign-up on a designated form located at the entrance to the Council Chamber.
2. If the speaker wishes to discuss a specific item on the agenda of the Commission, it should be noted on the sign-up form.
3. If the speaker wishes to discuss any subject not otherwise on the agenda of the Commission, time will be allowed after all agenda items have been completed and “public comments” are taken.
4. 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 for specially called hearing items, replats with notice, variances, and special exceptions.
6. Speakers will be allowed 1 minute for all consent agenda items.
7. Time limits will not apply to elected officials.
8. No speaker is permitted to accumulate speaking time from another person.
9. Time devoted to answering any questions from the Commission is not charged against allotted speaking time.
10. 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.

11. 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. The Commission cannot exercise discretion nor can it set conditions when granting approvals that are not specifically authorized by law. If the Commission does not act upon a Sec. I agenda item within 30 days, the item is automatically approved. The Commission’s authority on platting does not extend to land use. The Commission cannot disapprove a plat because it objects to the use of the property. All plats approved by the Commission are subject to compliance with applicable requirements, e.g., water, sewer, drainage, or other public agencies.

### 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 713-837-7758. Staff can either incorporate materials within the members Agenda packets, or can forward to the members messages and information.

### Contacting the Planning Department

The Planning and Development Department is located at 611 Walker Street on the Sixth Floor. Code Enforcement is located at 3300 Main Street.

The Departments mailing address is:  
P.O. Box 1562  
Houston, Texas 77251-1562

The Departments website is:  
[www.houstonplanning.com](http://www.houstonplanning.com)

E-mail us at:  
Planning and Development  
[Suzy.Hartgrove@cityofhouston.net](mailto:Suzy.Hartgrove@cityofhouston.net)

DRC (Planning Commission Agenda)  
[PCagenda@cityofhouston.net](mailto:PCagenda@cityofhouston.net)

## **Speakers Sign In Form**

### **Instructions:**

1. So that the Commission's Chairperson can call on those wishing to address the Commission, please provide the information below. Make sure the information is legible. If you have questions about the form or a particular item while filling out this form Planning and Development Department staff members are available at the front of the room to answer any questions. Hand the completed form to a staff member prior to the meeting's Call to Order.
2. It is important to include your "position" so that the Chairperson can group the speakers by position.
3. If you are a part of an organized group of speakers and want to address the Commission in a particular order please let a staff member know prior to the beginning of the meeting.
4. The Chairperson will call each speaker's name when it is his or her turn to speak. The Chairperson will also call out the speaker to follow.
5. As the called speaker you should move forward to the podium, state your name for the record, and then deliver your comments.
6. If you have materials to distribute to the Commission hand them to a staff member at the beginning of your presentation. Staff will distribute the information to Commission members on both sides of the table as you begin your comments.

**Agenda Item Number:** \_\_\_\_\_

**Agenda Item Name:** \_\_\_\_\_

**Your Name (speaker):** \_\_\_\_\_

**How Can We Contact You? (optional):** \_\_\_\_\_

**Your Position Regarding the Item (supportive, opposed, undecided):** \_\_\_\_\_

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6. If you have materials to distribute to the Commission hand them to a staff member at the beginning of your presentation. Staff will distribute the information to Commission members on both sides of the table as you begin your comments.

**Agenda Item Number:** \_\_\_\_\_

**Agenda Item Name:** \_\_\_\_\_

**Your Name (speaker):** \_\_\_\_\_

**How Can We Contact You? (optional):** \_\_\_\_\_

**Your Position Regarding the Item (supportive, opposed, undecided):** \_\_\_\_\_

*This online document is preliminary and not official. 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 at the Planning Commission meeting.*

# **Houston Planning Commission Historic Preservation Ordinance Workshop**

## **AGENDA**

**September 16, 2010**

Meeting to be held in  
Council Chamber, City Hall Annex  
1:00 p. m.

### **Call to Order**

- I. Presentation of proposed Historic Preservation Ordinance amendments**
- II. Adjournment**

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## **Houston Planning Commission**

# **AGENDA**

**September 16, 2010**

Meeting to be held in  
Council Chamber, City Hall Annex  
2:30 p. m.

### **Call to Order**

#### **Director's Report**

Announcement Regarding Upcoming Activates or Schedule

- **Approval of the September 02, 2010 Planning Commission Meeting Minutes**
- **Approval of the July 29, 2010 Planning Commission Major Thoroughfare and Freeway Plan Public Hearing Meeting Minutes**

#### **I. Platting Activity (subdivision and development plats)**

- a. Consent Subdivision Plats (Tenesia Mathews)
- b. Replats (Tenesia Mathews)
- c. Replats Requiring Public Hearings with Notification (Dorianne Powe-Phlegm, Suvidha Bandi, Kimberly Bowie)
- d. Subdivision Plats with Variance Requests (Brian Crimmins, Jesse Givens)
- e. Subdivision Plats with Special Exception Requests
- f. Reconsiderations of Requirement (Brian Crimmins)
- g. Administrative (Mikalla Hodges)
- h. Development Plats with Variance Requests (Brian Crimmins)
- i. Certificates of Compliance (Mikalla Hodges)
- j. Extension of Approvals and Name Changes (Mikalla Hodges)

#### **II. Establish a public hearing date of October 14, 2010 for:**

- a. Avondale Square
- b. Harlem Heights partial replat no 1
- c. Houston Community College Eastside Campus Sec 2

#### **III. Consideration of a variance to the Off-Street Parking standards for property located at 310 Cavalcade Street. (Brian Crimmins)**

#### **IV. Consideration of a variance to the Off-Street Parking standards for property located at 1203 Westheimer Road. (Brian Crimmins)**

#### **V. Consideration of a variance to the Off-Street Parking standards for property located at 1101 Taft Street. (Dipti Mathur)**

#### **VI. Consideration of an appeal of the decision of the Houston Archaeological and Historical Commission on August 25, 2010 for the denial of a Certificate of Appropriateness for 1137 Arlington Street – Houston Heights Historic District East. (Thomas McWhorter)**

#### **VII. Public Comment**

#### **VIII. Adjournment**

## Minutes of the Houston Planning Commission

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

September 2, 2010

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 2:35 p.m. with a quorum present.**

Mark A. Kilkenny, Chair  
M. Sonny Garza  
Susan Alleman  
Christopher B. Amandes

Arrived at 2:42 p.m. during Consent items; did not  
return after abstaining from items 52-54

Keiji Asakura  
J. D. Bartell  
James R. Jard  
Paul R. Nelson  
Linda Porrás-Pirtle  
Robin Reed  
Richard A. Rice  
David Robinson  
Jeff Ross  
Algenita Segars  
Talmadge Sharp, Sr.  
Blake Tart III  
Beth Wolff  
Shaukat Zakaria  
Mark Mooney for  
The Honorable Ed Chance  
Jackie Freeman for  
The Honorable Ed Emmett  
The Honorable Grady Prestage

Absent

Absent

### EXOFFICIO MEMBERS

Carol A. Lewis  
Daniel W. Krueger, P.E.  
Dawn Ullrich  
George Greanias

## DIRECTOR'S REPORT

The Director's Report was given by Marlene L. Gafrick, Director, Planning and Development Department.

### APPROVAL OF THE AUGUST 19, 2010 PLANNING COMMISSION MEETING MINUTES

Commission action: Approved the August 19, 2010 Planning Commission Meeting Minutes.

Motion: **Rice**                      Second: **Reed**                      Vote: **Carries**                      Abstaining: **Asakura, Sharp, and Wolff**

#### I. PLATTING ACTIVITY                      (Consent items A and B, 1- 40)

Items removed for separate consideration: **2, 22, 23, 24, 26, and 27**. Item **24** was changed from approve to defer. Item **8** was removed for separate consideration to allow for speakers.

Staff recommendation: Approve staff's recommendation for items **1 – 40** subject to the CPC 101 form conditions.

Commission action: Approved staff's recommendation for items **1 – 40** subject to the CPC 101 form conditions.

Motion: **Sharp**                      Second: **Wolff**                      Vote: **Unanimous**                      Abstaining: **None**

**Commissioners Rice and Ross abstained and left the room.**

Staff recommendation: Approve staff's recommendation for items **2, 22, 23, 24, 26, and 27** subject to the CPC 101 form conditions.

Commission action: Approved staff's recommendation for items **2, 22, 23, 24, 26, and 27** subject to the CPC 101 form conditions.

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

**Commissioners Rice and Ross returned.**

**Item 8 is taken at this time.**

#### **8                      Emes Place Subdivision                      C3P                      Defer**

Staff recommendation: Defer the plat for two weeks for further study and review.

Commission action: Deferred the plat for two weeks for further study and review.

Motion: **Rice**                      Second: **Sharp**                      Vote: **Unanimous**                      Abstaining: **None**

#### **C                      PUBLIC HEARINGS**

#### **41                      Addicks Stone Village Replat No 1                      C3N                      Withdrawn**

#### **42                      Bethel Evangelical Church                      C3N                      Defer**

Staff recommendation: Defer the plat for two weeks for further study and review and to allow time for the applicant to contact the property owner of lot 21.

Commission action: Defer the plat for two weeks for further study and review and to allow time for the applicant to contact the property owner of lot 21.

Motion: **Wolff**                      Second: **Ross**                      Vote: **Unanimous**                      Abstaining: **None**



**43 Lakeshore Sec 19** **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: **Ross** Second: **Segars** Vote: **Unanimous** Abstaining: **None**

**Items 48 and 49 were taken out of order and together with item 44 at this time.**  
**Commissioners Amandes and Asakura abstained and left the room.**

**44 S Perry Estates Replat No 1 and Extension** **C3N** **Approve**  
**48 Burnett Plaza Sec 1** **C2** **Approve**  
**49 Burnett Plaza Sec 2** **C2R** **Approve**

Staff recommendation: Grant the requested variances and approve the plats subject to the CPC 101 form conditions and with the following additional conditions: **1.** Burnett Street’s final width will be determined based on traffic needs and what best supports the area’s economic development. METRO will provide additional ROW from their property from Main St. to Chestnut St. if needed to accommodate the traffic generated by the Station and to minimize impact to the adjacent neighborhood. The ROW will be provided in accordance with an anticipated agreement for the exchange of properties not in the ROW. **2.** METRO shall prepare and submit a sidewalk plan to accommodate the pedestrian traffic generated by the Burnett Plaza Station. That plan shall address pedestrian access needs to the clinics and businesses on Main Street. METRO shall provide all sidewalks that are needed where there are none to access the station. **3.** Any easements needed for the sidewalk routes on METRO’s station property, and that create connectivity across the station’s site, shall be provided by METRO at no cost to the city.

Commission action: Granted the requested variances and approved the plats subject to the CPC 101 form conditions and with the following additional conditions: **1.** Burnett Street’s final width will be determined based on traffic needs and what best supports the area’s economic development. METRO will provide additional ROW from their property from Main St. to Chestnut St. if needed to accommodate the traffic generated by the Station and to minimize impact to the adjacent neighborhood. The ROW will be provided in accordance with an anticipated agreement for the exchange of properties not in the ROW. **2.** METRO shall prepare and submit a sidewalk plan to accommodate the pedestrian traffic generated by the Burnett Plaza Station. That plan shall address pedestrian access needs to the clinics and businesses on Main Street. METRO shall provide all sidewalks that are needed where there are none to access the stations. **3.** Any easements needed for the sidewalk routes on METRO’s station property and that creates connectivity across the station’s site, shall be provided by METRO at no cost to the city.

Motion: **Rice** Second: **Garza** Vote: **Carries** Abstaining: **Freeman, Jard, and Robinson**

Speakers for items 44, 48, and 49: Kent Marsh – applicant and Keith Fenn – METRO project manager.

**Commissioners Amandes and Asakura returned.**

**D VARIANCES**

**Agenda item 45 and the remainder of the agenda is taken at this time.**

**45 Alloy Carbide Subdivision** **C2R** **Approve**  
Staff recommendation: Grant the requested dual-building line variances and approve the plat subject to the CPC 101 form conditions.  
Commission action: Granted the requested dual-building line variances and approved the plat subject to the CPC 101 form conditions.  
Motion: **Jard** Second: **Segars** Vote: **Unanimous** Abstaining: **None**

**Items 46 and 47 are taken together at this time.**

**46 AutoNation Gulf Freeway GP GP Approve**  
**47 AutoNation Gulf Freeway Subdivision C2R Approve**

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

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

Motion: **Reed** Second: **Sharp** Vote: **Unanimous** Abstaining: **None**

**Commissioners Alleman and Amandes abstained and left the room.**

**50 Channelview ISD Aguirre Middle School C2 Approve**  
**Subdivision**

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: **Wolff** Second: **Sharp** Vote: **Unanimous** Abstaining: **None**

**Commissioners Alleman and Amandes returned.**

**51 John P McGovern Museum of Health and C2R Approve**  
**Medical Science**

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

Commission action: Granted the requested dual-building line variance and approved the plat subject to the CPC 101 form conditions.

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

**Commissioner Amandes abstained and left the room.**

**Items 52, 53, and 54 are taken together at this time.**

**52 Washington Heights East Subdivision C2R Approve**  
**53 Washington Heights Koehler STD C3R Approve**  
**54 Washington Heights West Subdivision C2R Approve**

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

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

Motion: **Rice** Second: **Garza** Vote: **Carries** Abstaining: **Asakura**

Speakers for items 52, 53, and 54: Kent Marsh – applicant; Mark Loethen – Chief Engineer, Public Works and Engineering; Councilmember Ed Gonzalez, Colton Candler, Tom Dornbusch, Jeff Jackson, Barbara Rose Lange, and Eileen Crowley Reed – opposed; Robin Holzer – undecided.

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

**F RECONSIDERATION OF REQUIREMENTS**

**Commissioner Ross abstained and left the room.**

**55 Beltway Lakes Office Park Sec 1 C2 Defer**  
 Staff recommendation: Defer the plat for two weeks to allow time for the applicant to provide revised information and to allow time for legal review of separately filed deed restrictions.  
 Commission action: Deferred the plat for two weeks to allow time for the applicant to provide revised information and to allow time for legal review of separately filed deed restrictions.  
 Motion: **Wolff** Second: **Asakura** Vote: **Unanimous** Abstaining: **None**

**Commissioner Ross returned.**

**G ADMINISTRATIVE  
NONE**

**H DEVELOPMENT PLAT VARIANCES**

**56 1001 Oxford Street DPV Approve**  
 Staff recommendation: Grant the requested variance to allow a building setback line of 12.5 feet for the carport structure.  
 Commission action: Granted the requested variance to allow a building setback line of 12.5 feet for the carport structure.  
 Motion: **Jard** Second: **Sharp** Vote: **Unanimous** Abstaining: **None**

**57 753 E. 19<sup>th</sup> Street DPV Disapprove**  
 Staff recommendation: Deny the requested variance for a reduced building line setback along E. 19<sup>th</sup> Street.  
 Commission action: Denied the requested variance for a reduced building line setback along E. 19<sup>th</sup> Street.  
 Motion: **Zakaria** Second: **Porras- Pirtle** Vote: **Carries** Opposed: **Bartell and Segars** Abstaining: **Ross and Wolff**  
 Speaker for item 57: Will Cook – applicant.

**I CERTIFICATES OF COMPLIANCE  
NONE**

**J EXTENSIONS OF APPROVAL AND NAME CHANGES**

**58 Bellaire Fountain Subdivision EOA Approve**  
**59 Blossomessence Subdivision EOA Approve**  
**60 Eagle Springs Commercial Reserve Sec 2 EOA Approve**  
**61 Summerwood Sec 35 EOA Approve**  
 Staff recommendation: Approve staff’s recommendation for items **58-61**.  
 Commission action: Approved staff’s recommendation for items **58-61**.  
 Motion: **Sharp** Second: **Garza** Vote: **Unanimous** Abstaining: **None**

**II. ESTABLISH A PUBLIC HEARING DATE OF SEPTEMBER 30, 2010 FOR:**

- a. Catalina Court Subdivision**
- b. Rutland Park Addition Partial Replat No 1**
- c. Washington Terrace Partial Replat No 1**
- d. Willow Springs Sec 6 Partial Replat No 1**
- e. MacGregors Blodgett Park Partial Replat No 3**

Staff recommendation: Establish a public hearing date of September 30, 2010 for items **II a-e**.

Commission action: Established a public hearing date of September 30, 2010 for items **II a-e**.

Motion: **Ross**                      Second: **Segars**                      Vote: **Unanimous**                      Abstaining: **None**

**Commissioner Asakura abstained and left the room.**

**III. CONSIDERATION OF STAFF'S RECOMMENDATIONS ON THE PEEK ROAD  
REQUESTED AMENDMENT TO THE MAJOR THOROUGHFARE AND FREEWAY PLAN:**

Staff recommendation: Defer the proposed amendment to a later Planning Commission meeting.

Commission action: Deferred the proposed amendment to a later Planning Commission meeting.

Motion: **Jard**                      Second: **Robinson**                      Vote: **Unanimous**                      Abstaining: **None**

**Commissioner Asakura returned.**

**Commissioner Reed abstained and left the room.**

**IV. CONSIDERATION OF FORWARDING TO CITY COUNCIL THE 2010 APPROVED  
CHANGES TO THE 2009 MAJOR THOROUGHFARE AND FREEWAY PLAN:**

Staff recommendation: That the Planning Commission forward to City Council the 2010 approved changes to the 2009 Major Thoroughfare and Freeway Plan.

Commission action: Forwarded to City Council the 2010 approved changes to the 2009 Major Thoroughfare and Freeway Plan.

Motion: **Robinson**                      Second: **Segars**                      Vote: **Unanimous**                      Abstaining: **None**

**Commissioner Reed returned.**

**V. PUBLIC COMMENT  
NONE**

**VI. ADJOURNMENT**

There being no further business brought before the Commission, Chair, Mark A. Kilkenney adjourned the meeting at 4:19 p.m.

Motion: **Sharp**                      Second: **Reed**                      Vote: **Unanimous**                      Abstaining: **None**

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**Mark A. Kilkenney, Chair**

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**Marlene L. Gafrick, Secretary**

**Minutes of the 2010 Major Thoroughfare and Freeway Plan  
Requested Amendments  
Public Hearing  
July 29, 2010**

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

**Call to order:**

**Chair, Mark A. Kilkenny, called the meeting to order at 2:33 p.m. with a quorum present.**

Mark A. Kilkenny, Chair

Susan Alleman

Christopher B. Amandes

Absent

Keiji Asakura

Sonny Garza

Jim Jard

Paul R. Nelson

Linda Porrás-Pirtle

Robin Reed

Richard A. Rice

David Robinson

Jeff Ross

Algenita Segars

Talmadge Sharp, Sr.

Blake Tart III

Absent

Beth Wolff

Shaukat Zakaria

The Honorable Ed Chance

Jackie Freeman for

The Honorable Ed Emmett

The Honorable Grady Prestage

I. INTRODUCTION AND OVERVIEW PRESENTED BY AMAR MOHITE, PLANNING AND DEVELOPMENT DEPARTMENT.

II. PUBLIC HEARING ITEMS

FILE NO.	NAME	APPLICANT
2010-01	Blodgett Street	Walter P. Moore and Associates

Presenter: Randy Schulze  
Speaker: Cornell Reed

*Commissioner Asakura abstained and left the room.*

2010-02	Peek Road	Asakura Robinson Company
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Presenter: Margaret Robinson

*Commissioner Asakura returned.*

2010-04	West Greens Road	Harris County, Public Infrastructure Department
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Presenter: Debra Leger- Jordan

*Commissioner Reed abstained and left the room.*

2010-05	FM 1464	Planning and Development Department, City of Houston
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Presenter: Amar Mohite

*Commissioner Reed returned.*

III. ADJOURNMENT

There being no further business, Chair, Mark A. Kilkenney, adjourned the meeting at 3:07 p.m.

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

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Mark A. Kilkenney, Chair

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Marlene L. Gafrick, Secretary

Item No	Plat Name	Class	Staff Recommendation
<b><u>A-Consent</u></b>			
1	Brunswick Meadows Sec 15 (2DEF)	C3F	
2	Cinco Ranch Boulevard east of FM 1463 STD	SP	
3	Cinco Ranch Southwest Sec 53	C3P	
4	Cypress Covenant Properties Huffmeister Subdivision	C2	
5	Dos Gueros GP	GP	
6	El Bolillo III	C2	
7	Emes Place Subdivision (DEF)	C3P	
8	Fairfield Village Sec 14 Subdivision	C3P	
9	Galston Auto Center Subdivision	C2	
10	Golden Stone Subdivision	C2	
11	Haas Properties State Highway 249 Subdivision (DEF)	C2	
12	Katy Gaston Reserve Subdivision	C2	
13	Lan Dong Estate Subdivision (DEF)	C3F	
14	Layne Tract Commercial Subdivision	C2	
15	Long Meadow Farms Lift Station No 6 Subdivision	C3P	
16	Long Meadow Farms Sec 28	C3F	
17	Mason Franz Senior Living and Reserves Subdivision (DEF)	C3P	
18	Pillot Gully Stormwater Detention Facility Subdivision	C2	
19	S Perry Estates replat no 1 and Extension	C3F	
20	SABB International Subdivision	C2	
21	Towne Lake Sec 8 (DEF)	C3P	
22	Veterinary Medical Art Center Subdivision	C3F	
23	Villas Fontanella Subdivision	C3F	
24	Washington Heights Koehler STD	C3F	
25	Willow Springs Sec 9	C3F	
26	Woodlands Village of Creekside Park Sec 15	C3F	
27	Woodlands Village of Creekside Park Sec 30	C3P	
28	Woodlands Village of Grogans Mill Lake Woodlands East Shore Sec 15	C3F	
29	Woodlands Village of Sterling Ridge Sec 104	C3P	
<b><u>B-Replats</u></b>			
30	Central Park partial replat no 2	C2R	
31	Discovery at Kingwood Apartments	C3R	
32	Gessner Corner Lots Subdivision	C2R	
33	Griggs Convenience Store Subdivision	C2R	
34	Keystone on Tyne	C2R	
35	Lone Oak Annex Subdivision	C2R	
36	Long Meadow Farms Commercial Reserve Sec 4 partial replat no 1	C2R	
37	Mirdamad Detering Subdivision	C2R	
38	Platinum Plaza Development Subdivision	C2R	
39	West Bell Avenue Landing Subdivision	C2R	

**C-Public Hearings Requiring Notification**

40	Bethel Evangelical Church Subdivision (PH091610)(DEF)	C3N
41	Fall Creek Sec 8 partial replat no 1 (PH091610)	C3N
42	Riverway Estates Sec 1 partial replat no 1 (PH091610)	C3N
43	Sunny Terrace partial replat no 1 (PH091610)	C3N

**D-Variances**

44	La Morena Market Subdivision	C2R
45	Langham Bayou Links Ltd Subdivision	C2
46	Las Palmas Retail Center Subdivision replat no 1 and extension	C2R
47	Spring Branch ISD Spring Woods Middle and Pine Shadows Elementary GP	GP
48	Spring Branch ISD Pine Shadows Elementary Sec 1	C2

**E - Special Exceptions****F-Reconsideration of Requirements**

49	Beltway Lakes Office Park Sec 1 (DEF)	C2
50	James Driver Park Subdivision	C3P

**G -Administrative**

51	The Woodlands Village Of Creekside Park Sec 17	C3F
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**H-Development Plats with Variance Requests**

52	3210 Elmcrest Drive	DPV
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**I - Certificates of Compliance****J -Extensions of Approval and Name Changes**

53	Cypresswood Heights Lift Station Subdivision	EOA
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**A-Consent**

1	<b>Brunswick Meadows Sec 15 (2DEF)</b> Plat Type: C3F      County: Harris #Lots: 44      #Units: 0 Applican Company: Pate Engineers Inc.	Key Map: 573t Res. Acreage: 0.77 Developer: 308 Furman, Ltd.	City/ETJ: ETJ	Acreage: 9.05
2	<b>Cinco Ranch Boulevard east of FM 1463 STD</b> Plat Type: SP      County: Ft Bend #Lots: 0      #Units: 0 Applican Company: AECOM USA Group, Inc.	Key Map: 524A Res. Acreage: 0 Developer: Terrabrook Cinco Ranch Southwest, L.P.	City/ETJ: ETJ	Acreage: 6.11
3	<b>Cinco Ranch Southwest Sec 53</b> Plat Type: C3P      County: Ft Bend #Lots: 25      #Units: 0 Applican Company: AECOM USA Group, Inc.	Key Map: 524H Res. Acreage: 0 Developer: Terrabrook Cinco Ranch Southwest, L.P.	City/ETJ: ETJ	Acreage: 4.76
4	<b>Cypress Covenant Properties Huffmeister Subdivision</b> Plat Type: C2      County: Harris #Lots: 0      #Units: 0 Applican Company: R. M. Atkinson, Eng. inc	Key Map: 368a Res. Acreage: 0 Developer: Cypress Covenant Properties, L.L.C.	City/ETJ: ETJ	Acreage: 3.20
5	<b>Dos Gueros GP</b> Plat Type: GP      County: Harris #Lots: 0      #Units: 0 Applican Company: Precision Surveyors, Inc	Key Map: 339N Res. Acreage: 0 Developer: LNL Ventures, LLC	City/ETJ: ETJ	Acreage: 9.27
6	<b>El Bolillo III</b> Plat Type: C2      County: Harris #Lots: 0      #Units: 0 Applican Company: Tejas Surveying, Inc.	Key Map: 534G Res. Acreage: 0 Developer: Kirk Michaelis	City/ETJ: City	Acreage: 0.95
7	<b>Emes Place Subdivision (DEF)</b> Plat Type: C3P      County: Harris #Lots: 0      #Units: 0 Applican Company: Gene Carroll Asso., L.P.	Key Map: 493A Res. Acreage: 0.0063 Developer: Viewpoint	City/ETJ: City	Acreage: 1.34
8	<b>Fairfield Village Sec 14 Subdivision</b> Plat Type: C3P      County: Harris_Mont #Lots: 50      #Units: 0 Applican Company: INsite Architecture	Key Map: 326J Res. Acreage: 0 Developer: Friendswood Development Co.	City/ETJ: ETJ	Acreage: 13.1
9	<b>Galston Auto Center Subdivision</b> Plat Type: C2      County: Harris #Lots: 0      #Units: 0 Applican Company: Integrated Civil Mng.,Co	Key Map: 368R Res. Acreage: 0 Developer: GALSON AUTO CENTER	City/ETJ: ETJ	Acreage: 2.73
10	<b>Golden Stone Subdivision</b> Plat Type: C2      County: Harris #Lots: 0      #Units: 0 Applican Company: Doshi Eng. & Sur. Co.	Key Map: 454F Res. Acreage: Developer: Hank Vu	City/ETJ: City	Acreage: 0.75
11	<b>Haas Properties State Highway 249 Subdivision (DEF)</b> Plat Type: C2      County: Harris #Lots: 0      #Units: 0 Applican Company: Lentz Engineering, L.C.	Key Map: 329E Res. Acreage: 0 Developer: Jeff Haas Properties LLC	City/ETJ: ETJ	Acreage: 15

12	<b>Katy Gaston Reserve Subdivision</b> Plat Type: C2      County: Ft Bend #Lots: 0              #Units: 0 Applican Company: Surv-Tex Surveying Co.	Key Map: 484P Res. Acreage: 0 Developer: Sheevaam Properies LLC	City/ETJ: ETJ	Acreage: 15.9
13	<b>Lan Dong Estate Subdivision (DEF)</b> Plat Type: C3F      County: Harris #Lots: 0              #Units: 0 Applican Company: Marsh/Jalay & Associates	Key Map: 529L Res. Acreage: 0 Developer: Lan Dong	City/ETJ: City	Acreage: 5.43
14	<b>Layne Tract Commercial Subdivision</b> Plat Type: C2      County: Harris #Lots: 0              #Units: 0 Applican Company: Eic surveying Company	Key Map: 370S Res. Acreage: 0 Developer: Layne Patrick, LLC.	City/ETJ: ETJ	Acreage: 2.44
15	<b>Long Meadow Farms Lift Station No 6 Subdivision</b> Plat Type: C3P      County: Ft Bend #Lots: 0              #Units: 0 Applican Company: costello, inc.	Key Map: 566A Res. Acreage: 0 Developer: LM Development LP	City/ETJ: ETJ	Acreage: 0.29
16	<b>Long Meadow Farms Sec 28</b> Plat Type: C3F      County: Ft Bend #Lots: 43             #Units: 0 Applican Company: costello, inc.	Key Map: 525Z Res. Acreage: 0 Developer: LM Development	City/ETJ: ETJ	Acreage: 17.1
17	<b>Mason Franz Senior Living and Reserves Subdivision (DEF)</b> Plat Type: C3P      County: Harris #Lots: 0              #Units: 0 Applican Company: R. G. Miller Eng., Inc.	Key Map: 445R Res. Acreage: Developer: Houston Mason and Franz Partners LP	City/ETJ: ETJ	Acreage: 20.6
18	<b>Pillot Gully Stormwater Detention Facility Subdivision</b> Plat Type: C2      County: Harris #Lots: 0              #Units: 0 Applican Company: American-Lupher Sur, Inc.	Key Map: 329Q Res. Acreage: 0 Developer: Klein Independent School District	City/ETJ: ETJ	Acreage: 17.6
19	<b>S Perry Estates replat no 1 and Extension</b> Plat Type: C3F      County: Harris #Lots: 0              #Units: 0 Applican Company: Marsh Darcy Partners, Inc.	Key Map: 493H Res. Acreage: 0 Developer: METRO	City/ETJ: City	Acreage: 0.61
20	<b>SABB International Subdivision</b> Plat Type: C2      County: Harris #Lots: 0              #Units: 0 Applican Company: H.R.S. and Associates,	Key Map: 571U Res. Acreage: 0 Developer: SABB International, LLC	City/ETJ: City	Acreage: 1.09
21	<b>Towne Lake Sec 8 (DEF)</b> Plat Type: C3P      County: Harris #Lots: 27             #Units: 0 Applican Company: Edminster Asso.	Key Map: 367W Res. Acreage: 0 Developer: Caldwell Companies	City/ETJ: ETJ	Acreage: 24.8
22	<b>Veterinary Medical Art Center Subdivision</b> Plat Type: C3F      County: Harris #Lots: 0              #Units: 0 Applican Company: Eic surveying Company	Key Map: 369D Res. Acreage: 0 Developer: Vec Investors, LLC.	City/ETJ: ETJ	Acreage: 1.87

23	<b>Villas Fontanella Subdivision</b> Plat Type: C3F      County: Harris #Lots: 8              #Units: 0 Applican Company: Karen Rose Eng. & Sur.	Key Map: 452U Res. Acreage: 0 Developer: Regal Star Properties	City/ETJ: City	Acreage: 0.33
24	<b>Washington Heights Koehler STD</b> Plat Type: C3F      County: Harris #Lots: 0              #Units: 0 Applican Company: Marsh Darcy Partners, Inc.	Key Map: 492H Res. Acreage: 0 Developer: The Ainbinder Company	City/ETJ: City	Acreage: 0.41
25	<b>Willow Springs Sec 9</b> Plat Type: C3F      County: Harris #Lots: 76             #Units: 0 Applican Company: LJA Engineering & Sur.	Key Map: 411h Res. Acreage: 0.96 Developer: KB homes inc.	City/ETJ: ETJ	Acreage: 16.0
26	<b>Woodlands Village of Creekside Park Sec 15</b> Plat Type: C3F      County: Harris #Lots: 46             #Units: 0 Applican Company: Pate Engineers Inc.	Key Map: 250P Res. Acreage: 0 Developer: The Woodlands Development Company, L.P.	City/ETJ: ETJ	Acreage: 21.1
27	<b>Woodlands Village of Creekside Park Sec 30</b> Plat Type: C3P      County: Harris #Lots: 42             #Units: 0 Applican Company: LJA Engineering & Sur.	Key Map: 250Q Res. Acreage: 0 Developer: The Woodlands Development Company, L.P.	City/ETJ: ETJ	Acreage: 16.4
28	<b>Woodlands Village of Grogans Mill Lake Woodlands East Shore Sec 15</b> Plat Type: C3F      County: Mont #Lots: 8              #Units: 0 Applican Company: LJA Eng & Surveying	Key Map: 215G Res. Acreage: 0 Developer: TWDC	City/ETJ: ETJ	Acreage: 1.86
29	<b>Woodlands Village of Sterling Ridge Sec 104</b> Plat Type: C3P      County: Mont #Lots: 0              #Units: 0 Applican Company: LJA Eng & Surveying	Key Map: 251t Res. Acreage: 0 Developer: TWDC	City/ETJ: ETJ	Acreage: 2.90

**B-Replats**

30	<b>Central Park partial replat no 2</b> Plat Type: C2R      County: Harris #Lots: 0              #Units: 0 Applican Company: Civil Concepts, Inc.	Key Map: 494R Res. Acreage: 0 Developer: Das-Blest, L.L.C.	City/ETJ: City	Acreage: 1.15
31	<b>Discovery at Kingwood Apartments</b> Plat Type: C3R      County: Mont #Lots: 0              #Units: 0 Applican Company: costello, inc.	Key Map: 296W Res. Acreage: Developer: Fairfield Kingwood, LP	City/ETJ: ETJ	Acreage: 15.6
32	<b>Gessner Corner Lots Subdivision</b> Plat Type: C2R      County: Harris #Lots: 0              #Units: 0 Applican Company: Daram Engineers, Inc.	Key Map: 450A Res. Acreage: 0 Developer: Daram Engineers, Inc.	City/ETJ: City	Acreage: 0.59
33	<b>Griggs Convenience Store Subdivision</b> Plat Type: C2R      County: Harris #Lots: 0              #Units: 0	Key Map: 533H Res. Acreage: 0	City/ETJ: City	Acreage: 0.35

**Applican Company:** H.R.S. and Associates, **Developer:** Mr. Hajarat Momin

- 34 Keystone on Tyne**  
**Plat Type:** C2R      **County:** Harris      **Key Map:** 492G      **City/ETJ:** City      **Acreage:** 0.11  
**#Lots:** 2      **#Units:** 0      **Res. Acreage:** 0  
**Applican Company:** Bates Development Cons. **Developer:** Keystone Classic Homes
- 35 Lone Oak Annex Subdivision**  
**Plat Type:** C2R      **County:** Harris      **Key Map:** 407F      **City/ETJ:** ETJ      **Acreage:** 1.50  
**#Lots:** 0      **#Units:** 0      **Res. Acreage:** 1.0582  
**Applican Company:** Amani Engineering      **Developer:** MUD 173
- 36 Long Meadow Farms Commercial Reserve Sec 4 partial replat no 1**  
**Plat Type:** C2R      **County:** Ft Bend      **Key Map:** 526W      **City/ETJ:** ETJ      **Acreage:** 1.63  
**#Lots:** 0      **#Units:** 0      **Res. Acreage:** 0  
**Applican Company:** costello, inc.      **Developer:** Morton Project LTD
- 37 Mirdamad Detering Subdivision**  
**Plat Type:** C2R      **County:** Harris      **Key Map:** 492G      **City/ETJ:** City      **Acreage:** 0.32  
**#Lots:** 0      **#Units:** 0      **Res. Acreage:** 0  
**Applican Company:** South Texas Platting      **Developer:** D. 5335 W LLC
- 38 Platinum Plaza Development Subdivision**  
**Plat Type:** C2R      **County:** Harris      **Key Map:** 570B      **City/ETJ:** City      **Acreage:** 12.2  
**#Lots:** 0      **#Units:** 0      **Res. Acreage:** 0  
**Applican Company:** Doshi Eng. & Sur. Co.      **Developer:** Hank Vu
- 39 West Bell Avenue Landing Subdivision**  
**Plat Type:** C2R      **County:** Harris      **Key Map:** 493N      **City/ETJ:** City      **Acreage:** 0.11  
**#Lots:** 3      **#Units:** 0      **Res. Acreage:** 0  
**Applican Company:** Lovett      **Developer:** Intownhomes Ltd.

**C-Public Hearing Requiring Notification**

- 40 Bethel Evangelical Church Subdivision (PH091610)(DEF)**  
**Plat Type:** C3N      **County:** Harris      **Key Map:** 570B      **City/ETJ:** City      **Acreage:** 2.40  
**#Lots:** 0      **#Units:** 0      **Res. Acreage:** 0  
**Applican Company:** Bowden Survey Company **Developer:** Bethel Evangelical Church
- 41 Fall Creek Sec 8 partial replat no 1 (PH091610)**  
**Plat Type:** C3N      **County:** Harris      **Key Map:** 375Y      **City/ETJ:** ETJ      **Acreage:** 1.34  
**#Lots:** 2      **#Units:** 0      **Res. Acreage:** 0  
**Applican Company:** R. M. Atkinson Eng. inc      **Developer:** R. Stuart Autry, Jill Autry
- 42 Riverway Estates Sec 1 partial replat no 1 (PH091610)**  
**Plat Type:** C3N      **County:** Ft Bend      **Key Map:** 568B      **City/ETJ:** ETJ      **Acreage:** 1.25  
**#Lots:** 6      **#Units:** 0      **Res. Acreage:** 0  
**Applican Company:** Owens Mag. Systems      **Developer:** Ranna & Company, Inc
- 43 Sunny Terrace partial replat no 1 (PH091610)**  
**Plat Type:** C3N      **County:** Harris      **Key Map:** 498c      **City/ETJ:** ETJ      **Acreage:** 0.62  
**#Lots:** 1      **#Units:**      **Res. Acreage:** 0  
**Applican Company:** Elite Surveying      **Developer:** Jaime Mayorquin

**D-Variances**

- 44 **La Morena Market Subdivision**  
**Plat Type:** C2R      **County:** Harris      **Key Map:** 575W      **City/ETJ:** City      **Acreage:** 43.7  
**#Lots:** 0      **#Units:**      **Res. Acreage:** 0  
**Applican Company:** Heights Engineering LLC      **Developer:** INDUS CONSTRUCTION, LP
- 45 **Langham Bayou Links Ltd Subdivision**  
**Plat Type:** C2      **County:** Harris      **Key Map:** 408X      **City/ETJ:** ETJ      **Acreage:** 80.1  
**#Lots:** 0      **#Units:** 0      **Res. Acreage:** 0  
**Applican Company:** Precision Land Sur., Inc.      **Developer:** LANGHAM BAYOU LINKS
- 46 **Las Palmas Retail Center Subdivision replat no 1 and extension**  
**Plat Type:** C2R      **County:** Harris      **Key Map:** 535U      **City/ETJ:** City      **Acreage:** 0.42  
**#Lots:** 0      **#Units:** 0      **Res. Acreage:** 0  
**Applican Company:** Integrated Civil Mang. Co      **Developer:** Heritage Gulf Coast
- 47 **Spring Branch ISD Spring Woods Middle and Pine Shadows Elementary GP**  
**Plat Type:** C2      **County:** Harris      **Key Map:** 450T      **City/ETJ:** City      **Acreage:** 42.9  
**#Lots:** 0      **#Units:** 0      **Res. Acreage:** 0  
**Applican Company:** Westbelt Surveying      **Developer:** Spring Branch ISD
- 48 **Spring Branch ISD Pine Shadows Elementary Sec 1**  
**Plat Type:** GP      **County:** Harris      **Key Map:** 450T      **City/ETJ:** City      **Acreage:** 10  
**#Lots:** 0      **#Units:** 0      **Res. Acreage:** 0  
**Applican Company:** Westbelt Surveying      **Developer:** Spring Branch ISD

**E -Special Exceptions****F-Reconsideration of Requirements**

- 49 **Beltway Lakes Office Park Sec 1 (DEF)**  
**Plat Type:** C2      **County:** Harris      **Key Map:** 370U      **City/ETJ:** ETJ      **Acreage:** 46.2  
**#Lots:** 0      **#Units:** 0      **Res. Acreage:** 0  
**Applican Company:** Pate Engineers Inc.      **Developer:** Radler Limited Partnership
- 50 **James Driver Park Subdivision**  
**Plat Type:** C3P      **County:** Harris      **Key Map:** 414T      **City/ETJ:** ETJ      **Acreage:** 30.2  
**#Lots:** 0      **#Units:** 0      **Res. Acreage:** 0  
**Applican Company:** Cobb, Fendley Asso., Inc.      **Developer:** Harris County

**G -Administrative**

- 51 **Woodlands Village Of Creekside Park Sec 17**  
**Plat Type:** C3F      **County:** Harris      **Key Map:** 250P      **City/ETJ:** ETJ      **Acreage:** 19.95  
**#Lots:** 49      **#Units:** 0      **Res. Acreage:** 5  
**Applican Company:** Pate Engineers Inc.      **Developer:** The Woodlands Development Company, L.P.

**Other Development Activity**

**Houston Planning Commission**

**Meeting Date: September 16, 2010**

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LOCATION	FILE No.	ZIP	LAMB. No.	KEY MAP	CITY/ ETJ
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**H -Development Plats with Variance Requests**

52	3210 Elmcrest Drive	1063807	77088	5162	411V	City
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**I-Certificates of Compliance**

**J -Extensions of Approval and Name Changes**

53	<b>Cypresswood Lift Station Subdivision</b>	H	EOA	2009-0754	77373	5470	294W	ETJ
	Total acreage: 0.143	#Lots: 0		#Apt. units: 0		#Acres/reserve*		0.143
	Applicant: Van De Wiele and Vogler	Developer: Bradbury Development						

# CITY OF HOUSTON

Houston Planning Commission  
Planning and Development Department



Planning Commission  
Meeting Date: 09/16/2010  
Item: 40

Plat Name: Bethel Evangelical Church Subdivision  
(PH091610)(DEF)

Applicant: Bowden Survey Company



## Area Map



# CITY OF HOUSTON

Houston Planning Commission  
Planning and Development Department

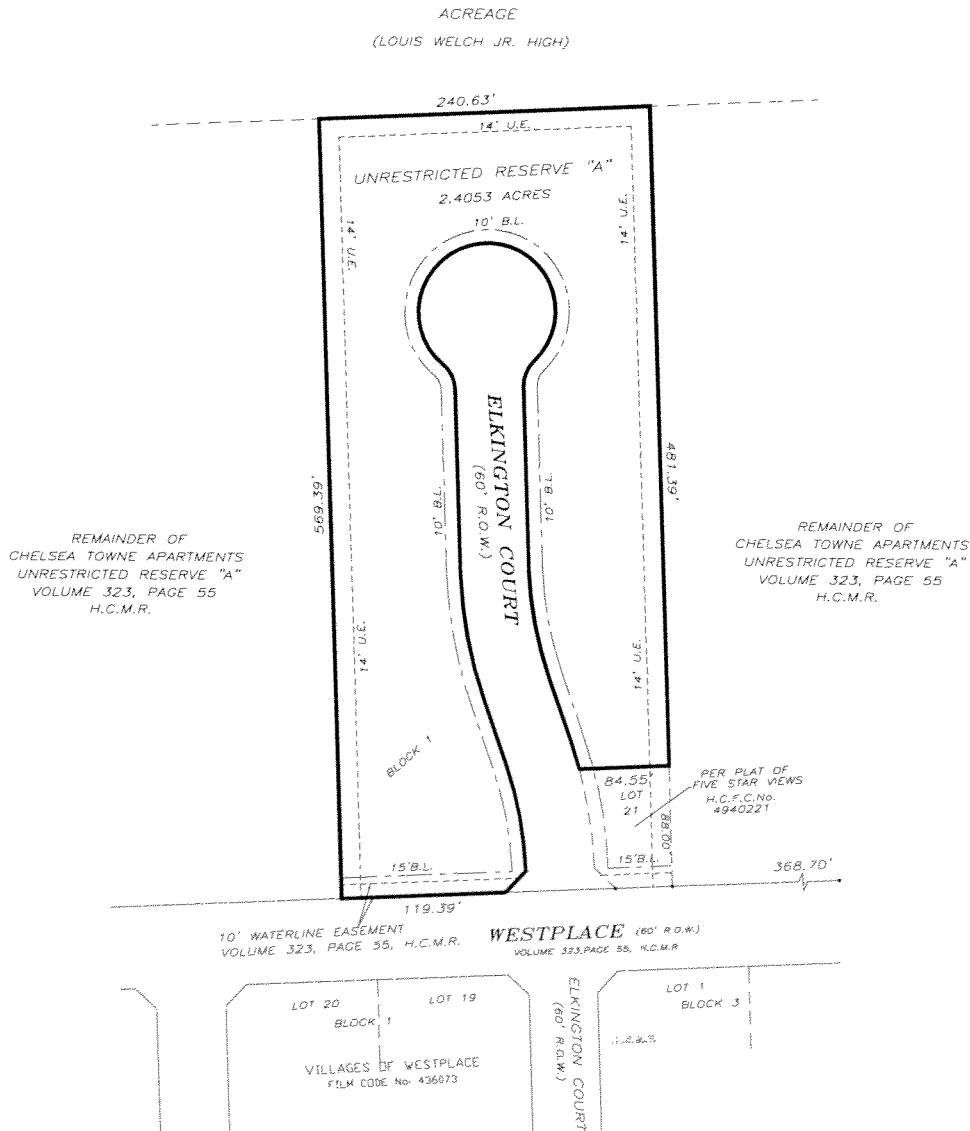


Planning Commission  
Meeting Date: 09/16/2010  
Item: 40

Plat Name: Bethel Evangelical Church Subdivision  
(PH091610)(DEF)  
Applicant: Bowden Survey Company



## Subdivision Map





## Variance Request Information Form

**Plat Name:** Bethel Evangelical Church Subdivision (PH091610)(DEF)  
**Company Name:** Bowden Survey Company  
**Date** 08/13/2010  
**Submitted:**

*47 and 81*

**Specific variance is being sought and extent of variance:**

The purpose of the variance request is to re-plat Lots One (1) thru Twenty (20) of said "Five Star Views" Subdivision, currently a single family development, to a renamed subdivision called Bethel Evangelical Church consisting of "One (1) Unrestricted Reserve" for the proposed building of a Church facility with on-site parking, fellowship and playground areas engineered and landscaped to City of Houston requirements.

**Chapter 42 Reference:** 42-196 (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;*

*(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 Section States: Sec. 42-196. - Rules governing partial replats of certain property.

(b) Property within a subdivision plat that does not contain lots restricted to single-family residential or residential use may be replatted to amend any plat restriction contained on the preceding subdivision plat.

The current plat of "Five Star Views Subdivision" is a subdivision of single-family residential which has never been developed and has remained an undeveloped tract of land since its conception 9 years ago till current. Prior to the platting of said Five Star Views Subdivision, the original plat of Chelsea Towne Apartments deemed this tract as an unrestricted reserve. The current developer/owner of said subdivision would like to remove the single family residential restriction imposed on the existing plat of Five Star Views Subdivision by replatting said subdivision to one unrestricted reserve that will ultimately contain a Church facility and its amenities. This would be a positive impact on the surrounding communities and subdivisions by finally developing a dormant overgrown tract of land to a Church geared for the betterment of the community and the youth therein.

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

The Owner of the aforementioned Subdivision wishes to create a public Church Facility for the

betterment of the community. The current Lot situation as platted would make the proposed church project impossible to achieve. The creation of one Unrestricted Reserve would allow the feasibility of a Church Facility.

*(3) The intent and general purposes of this chapter will be preserved and maintained;*  
No easements, building lines or outer boundary lines will be altered or vacated and therefore will remain the same as per the recorded plat of said Five Star Views Subdivision which is in compliance of Chapter 42.

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

The granting of this variance would in fact be benevolent to the property, adjoining neighborhoods, and other public facilities nearby.

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

The construction of this facility is to develop and enhance the property, benefiting the local neighborhoods and public places with the innate positive purpose of the service to be provided for the community.

# CITY OF HOUSTON

Houston Planning Commission  
Planning and Development Department



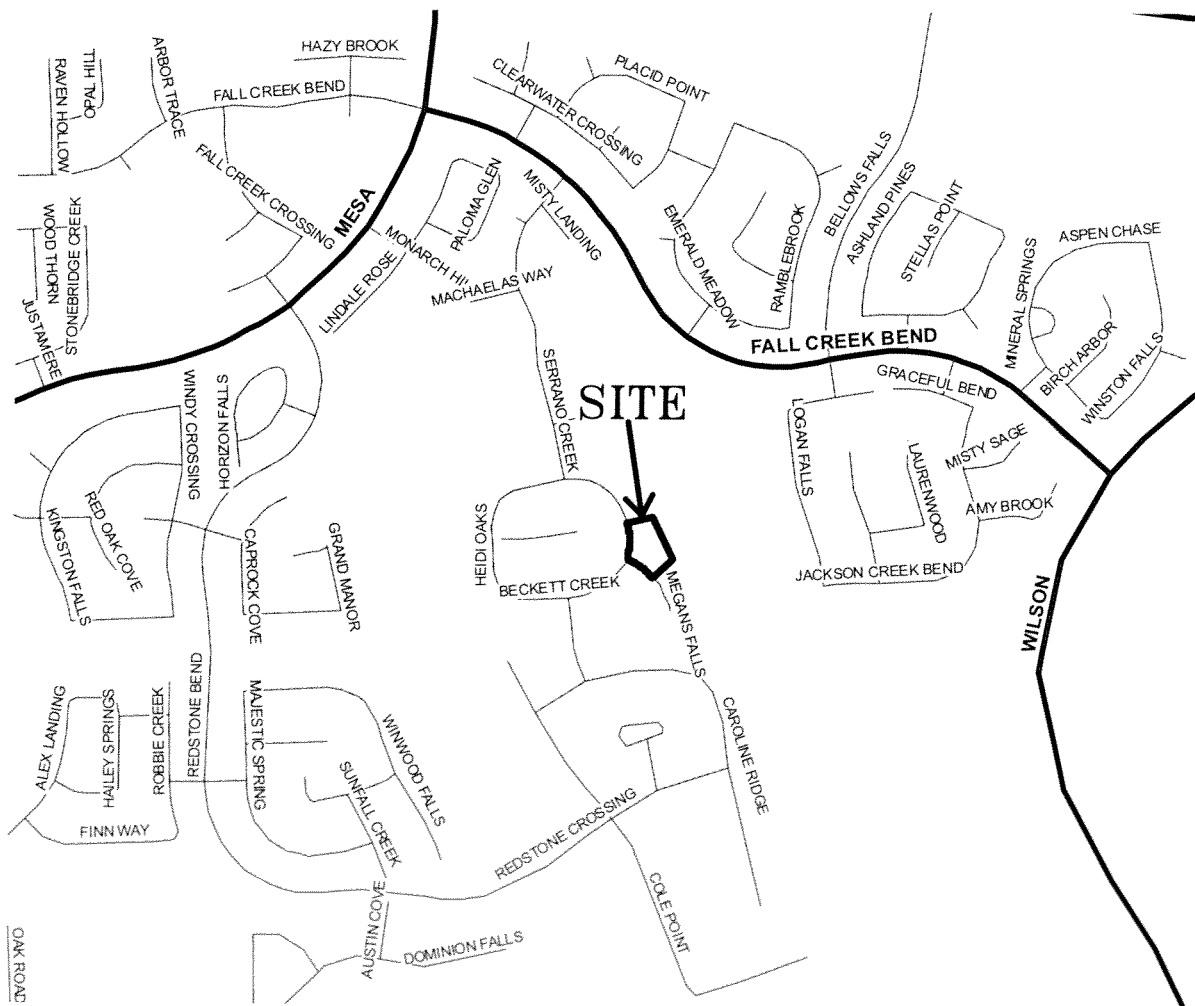
Planning Commission  
Meeting Date: 09/16/2010  
Item: 41

Plat Name: Fall Creek Sec 8 partial replat no 1 (PH091610)

Applicant: R. M. Atkinson Jr., Engineers inc



Area Map



# CITY OF HOUSTON

Houston Planning Commission  
Planning and Development Department



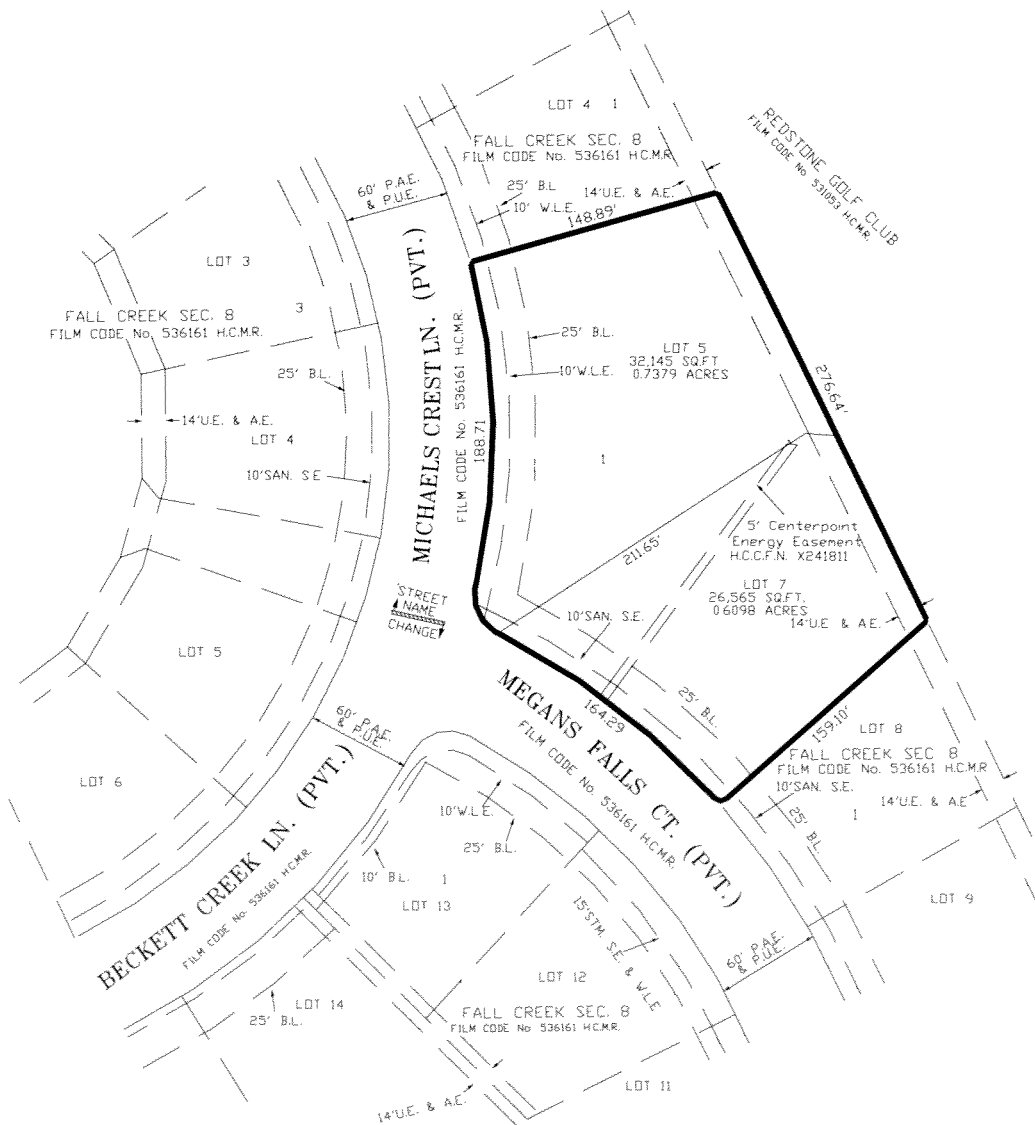
Planning Commission  
Meeting Date: 09/16/2010  
Item: 41

Plat Name: Fall Creek Sec 8 partial replat no 1 (PH091610)

Applicant: R. M. Atkinson Jr., Engineers inc



## Subdivision Map



# CITY OF HOUSTON

Houston Planning Commission  
Planning and Development Department



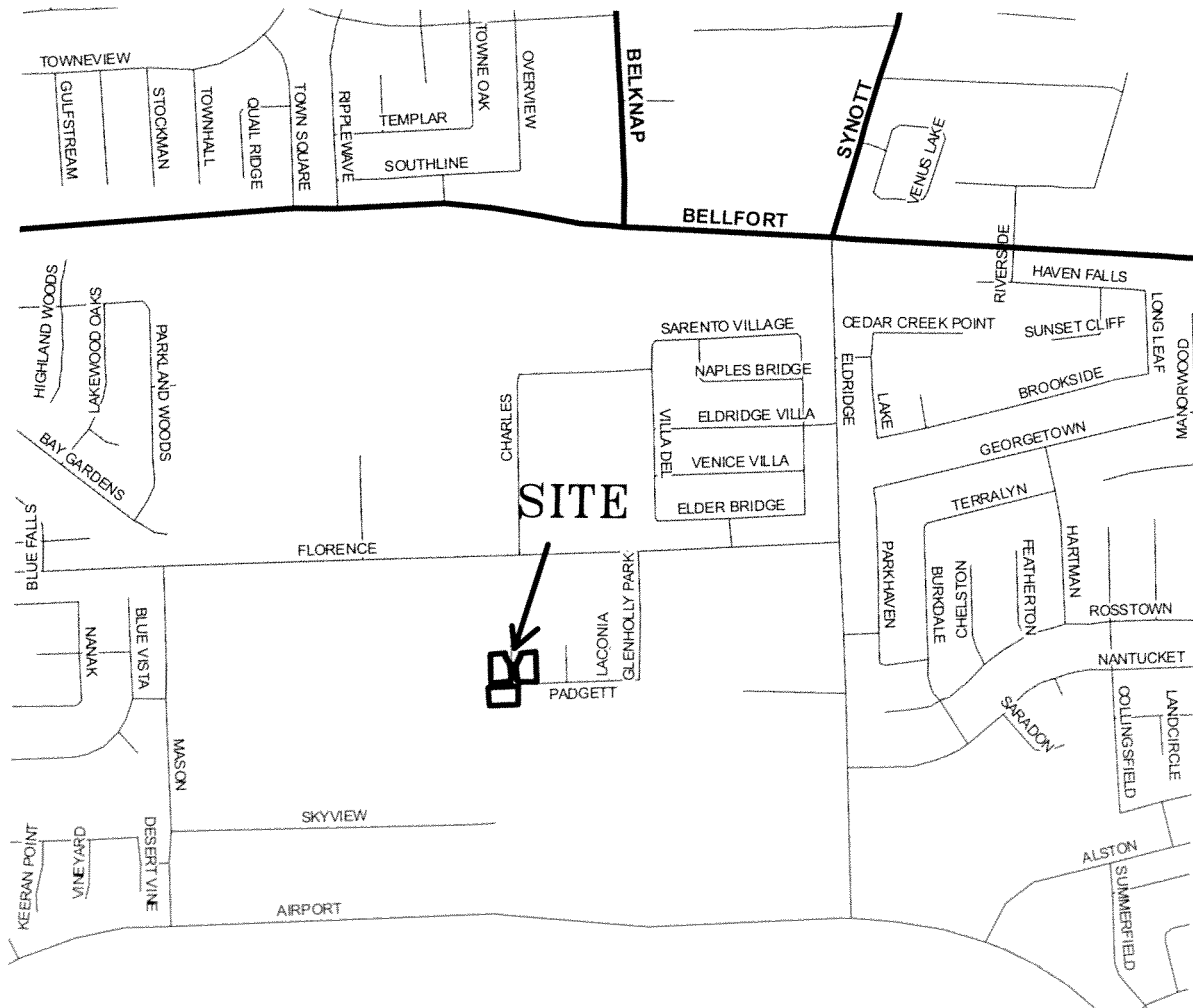
Planning Commission  
Meeting Date: 09/16/2010  
Item: 42

Plat Name: Riverway Estates Sec 1 partial replat no 1  
(PH091610)

Applicant: Owens Management Systems



Area Map



# CITY OF HOUSTON

Houston Planning Commission  
 Planning and Development Department



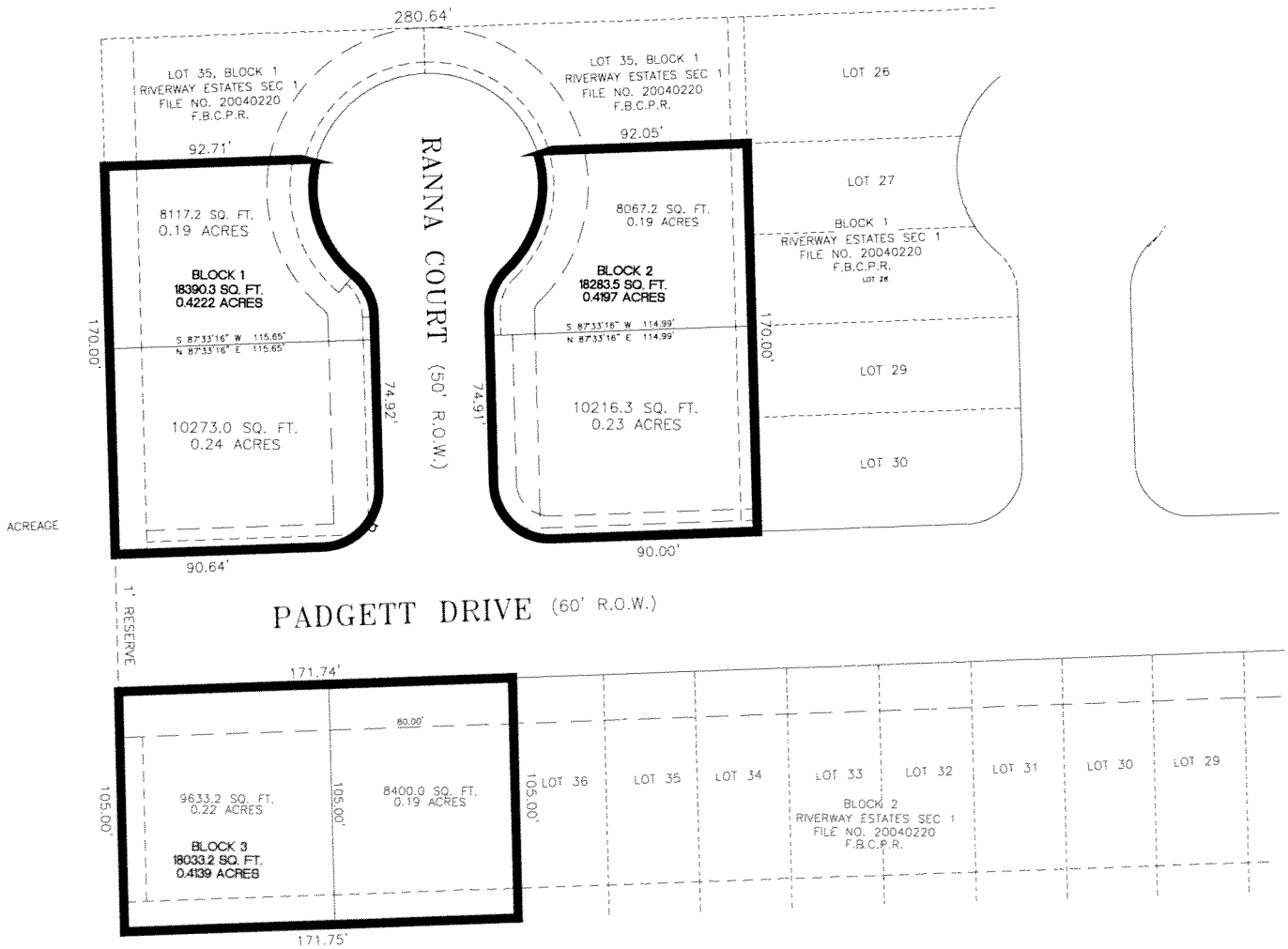
Planning Commission  
 Meeting Date: 09/16/2010  
**Item: 42**

Plat Name: Riverway Estates Sec 1 partial replat no 1  
 (PH091610)

Applicant: Owens Management Systems



## Subdivision Map



# CITY OF HOUSTON

Houston Planning Commission  
Planning and Development Department



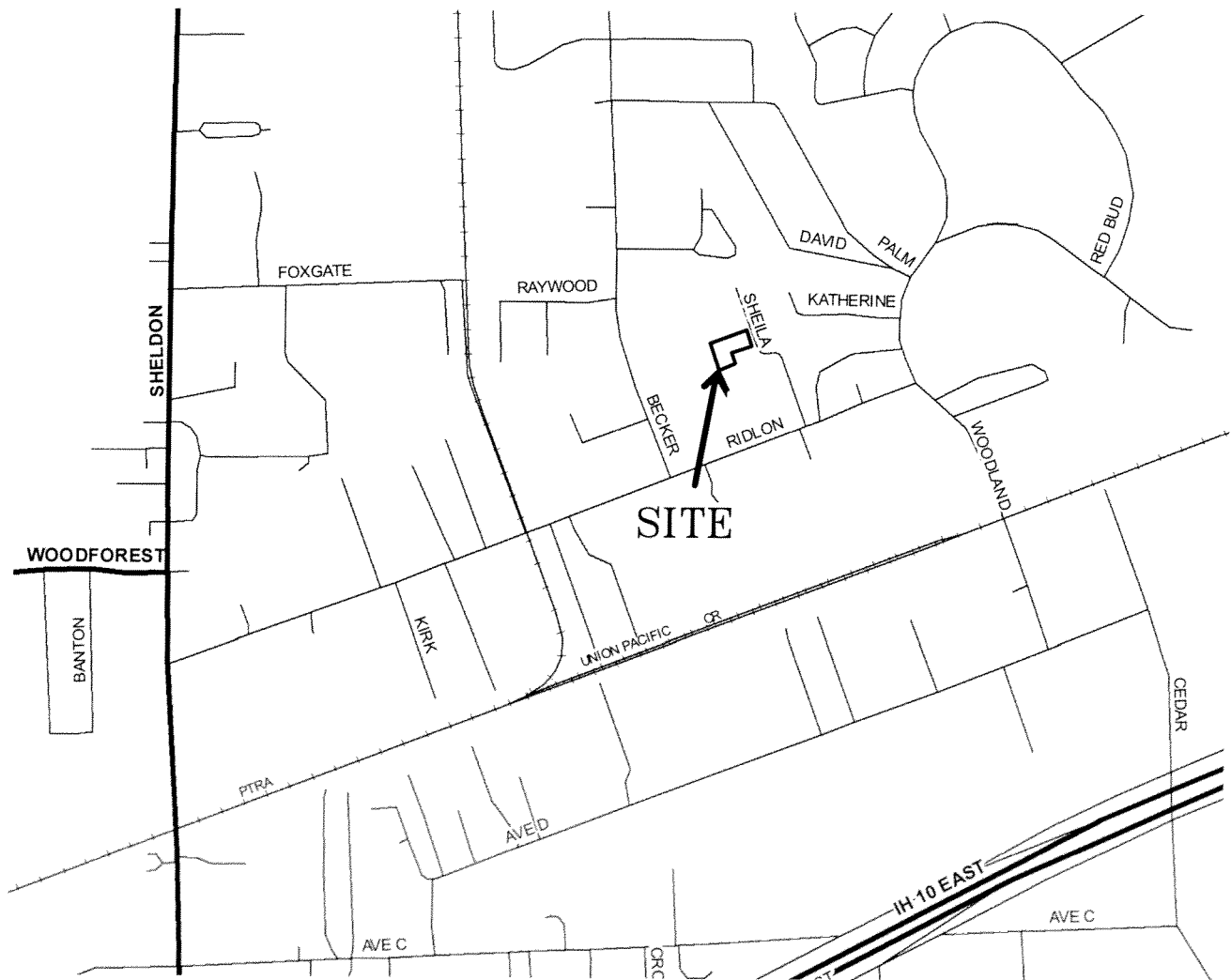
Planning Commission  
Meeting Date: 09/16/2010  
**Item: 43**

Plat Name: Sunny Terrace partial replat no 1 (PH091610)

Applicant: Elite Surveying



Area Map



# CITY OF HOUSTON

Houston Planning Commission  
Planning and Development Department



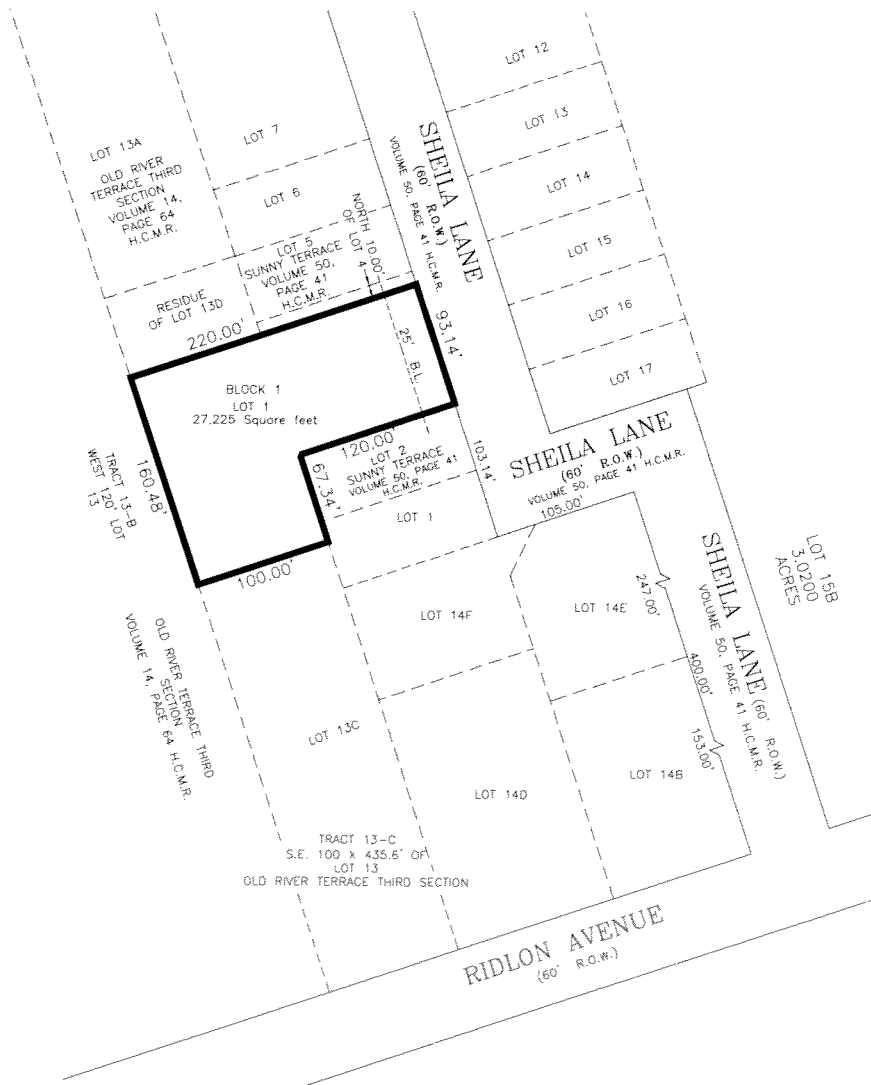
Planning Commission  
Meeting Date: 09/16/2010  
Item: 43

Plat Name: Sunny Terrace partial replat no 1 (PH091610)

Applicant: Elite Surveying



## Subdivision Map





# CITY OF HOUSTON

Houston Planning Commission  
Planning and Development Department



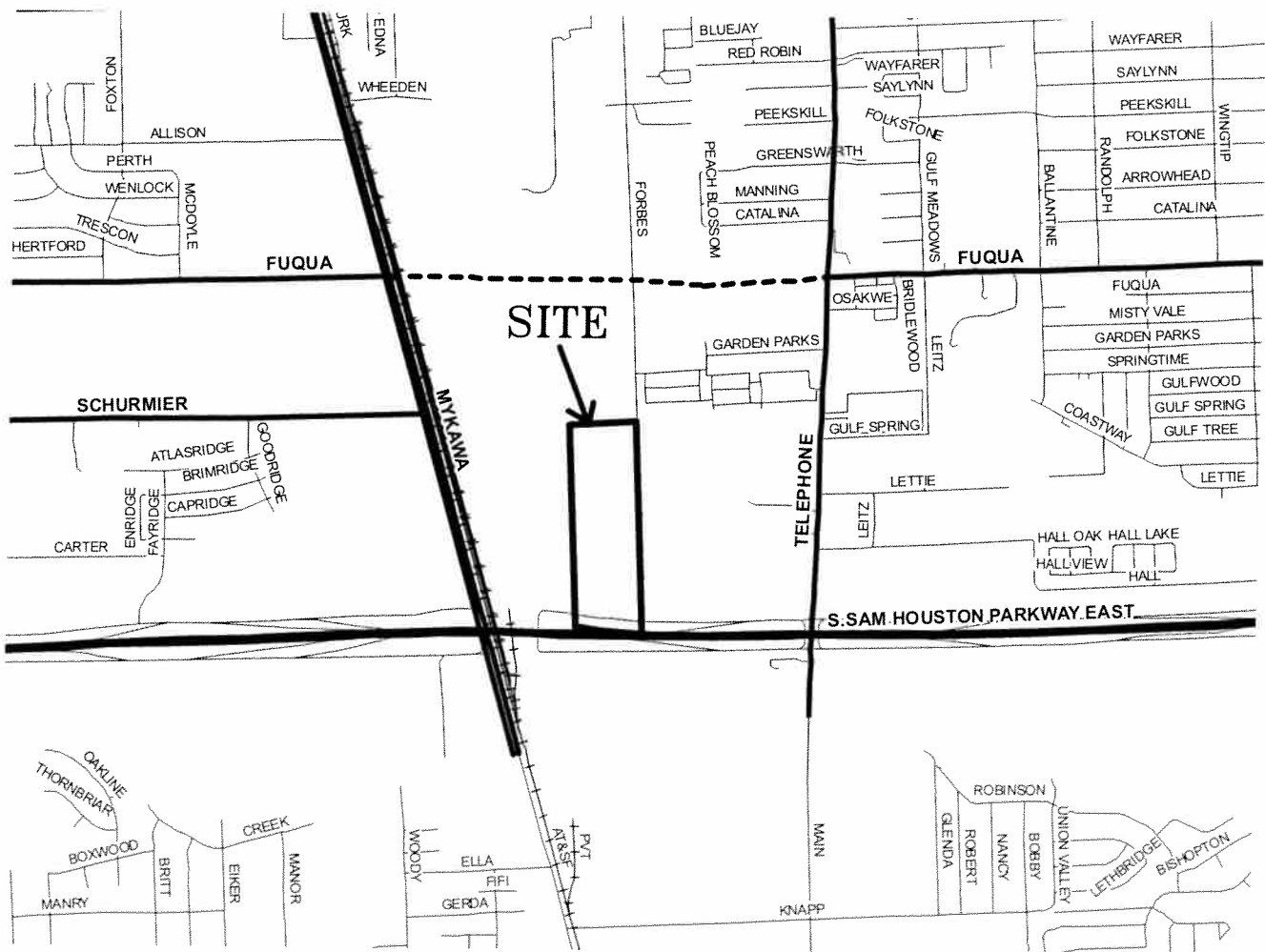
Planning Commission  
Meeting Date: 09/16/2010  
Item: 44

Plat Name: La Morena Market Subdivision

Applicant: Heights Engineering LLC



## Area Map



# CITY OF HOUSTON

Houston Planning Commission  
Planning and Development Department



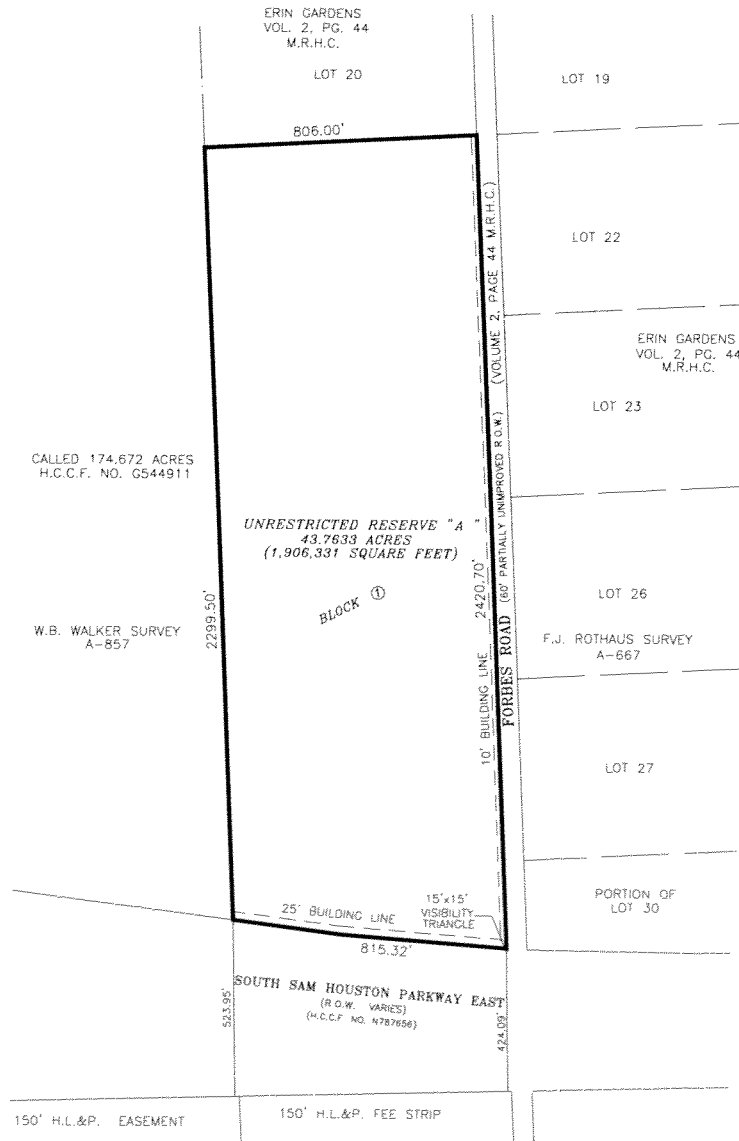
Planning Commission  
Meeting Date: 09/16/2010  
Item: 44

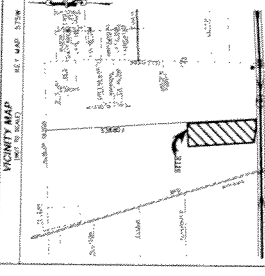
Plat Name: La Morena Market Subdivision

Applicant: Heights Engineering LLC



## Subdivision Map





**LEGAL DESCRIPTION**  
 A TRACT OF 42.7843 ACRES OF LAND RELATED TO THE J. J. STURGES ESTATE, INSTRUMENT NUMBER 988, CITY OF HOUSTON, HARRIS COUNTY, TEXAS.

**BENCHMARK**  
 ELEVATIONS SHOWN HEREON ARE BASED ON STAMP NO. 400, 40004, FROM THE NATIONAL TIDE GAUGE SERVICE FIELD REPORT ON AUGER CHAIN TO THE SEA LEVEL, STATION NO. 2627, LOCATED AT THE CORNER OF THE SECTION 10, TOWNSHIP 35N, RANGE 14E, COUNTY OF HARRIS, TEXAS.

**FLOODPLAIN DATA**  
 ALL WATERWAYS ARE BASED ON THE 1984 FLOODPLAIN MAP OF HOUSTON, TEXAS, SHOWING THE 100-YEAR FLOOD ELEVATION AND THE 500-YEAR FLOOD ELEVATION. THE FLOODPLAIN DATA IS FOR INFORMATION ONLY AND DOES NOT REPRESENT A GUARANTEE OF ACCURACY OR A WARRANTY OF FITNESS FOR ANY PARTICULAR PURPOSE.

**LEGEND**  
 PROPERTY LINE  
 SECTION 10, TOWNSHIP 35N, RANGE 14E, COUNTY OF HARRIS, TEXAS  
 ESTATE GRANT FROM MARY (SHE) AND JOHN (HE) ESTATE  
 ESTATE GRANT FROM MARY (SHE) AND JOHN (HE) ESTATE  
 ESTATE GRANT FROM MARY (SHE) AND JOHN (HE) ESTATE  
 PROPOSED ELEVATION BY TOP OF GRAVE OR INLET  
 PROPOSED ELEVATION BY FLOOR FINISH  
 PROPOSED FINISHED FLOOR ELEVATION

**PROPOSED 1-STORY BLDG FF+46.00**

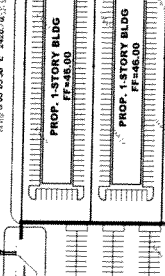
**PROPOSED 1-STORY BLDG FF+46.00**

**PROPOSED 1-STORY BLDG FF+46.00**

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**PROPOSED 1-STORY BLDG FF+46.00**

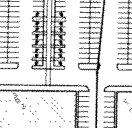
**PROPOSED 1-STORY BLDG FF+46.00**



**HEIGTS ENGINEERING LLC**  
 CONSULTING ENGINEERS  
 11568 HWY 6 SOUTH # 410 SUGAR LAND, TEXAS 77498  
 PHONE (281) 885-1464 FAX (281) 274-9153  
 www.HEIGTSENGINEERING.COM

THE SEAL AFFIXING ON THIS DOCUMENT WAS AUTHORIZED BY  
 STATE OF TEXAS  
 BOARD OF EXAMINERS  
 PROFESSIONAL ENGINEERS  
 REGISTERED PROFESSIONAL ENGINEER  
 08-19-10  
 08-19-10  
 08-19-10

**LA MORENA MARKET**  
 SITE PLAN  
 7505 SOUTH SAM HOUSTON PKWY EAST  
 HOUSTON, TX 77075



NO.	REVISIONS	DATE

**Scale:** Horiz: 1" = 100'  
 Vert.: N/A  
**Drawn By:** NM **Date:** 08-19-10  
**Checked By:** RM **Date:** 08-19-10  
**Checked By:** RM **Date:** 08-19-10

## Variance Request Information Form

**Plat Name:** La Morena Market Subdivision  
**Company Name:** Heights Engineering LLC  
**Date** 08/20/2010  
**Submitted:**

*47 and 81*

**Specific variance is being sought and extent of variance:**

42-128a(1) Each local street shall intersect with a street that meets the requirements of section 42-128(b) at least every 1400 feet. The applicant is requesting a variance to waive the requirement of a proposed East-West public street 1400' North of the intersection South Sam Houston East Pky and Forbes Rd.

**Chapter 42 Reference:** 42-128

**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;*

*(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;*

We request a variance to the requirement of R.O.W. dedication for a public street at every 1400' of local street intersection of another street. The original plat was done without proposing a street through this subdivision. This subdivision has frontage on South Sam Houston East Parkway feeder road. The feeder road dead ends after this property and the drivers travelling West need to make U-turn at the railroad tracks along Mykawa Road. We recommend that no street shall be required in east-west direction at 1400' North of Sam Houston Parkway feeder, as it cannot continue West because of the railroad tracks located West of the proposed subdivision. Based on the above-mentioned facts, providing an east-west street shall not improve the circulation.

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

The railroad tracks being on Westside of the property shall rule out any traffic circulation through a new street. Also, the original plat was approved without a street through this subdivision. Both of these conditions are pre-existing and were beyond the control of the owner of the subject subdivision.

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

There are street intersection on the North (Forbes Rd & Fuqua St) and South of this subdivision (BW-8 & Forbes Rd). The traffic already uses Almeda Genoa Road to cross the railroad tracts. Therefore, chapter 42 intent will remain preserved.

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

The required street will not serve anybody on the east and west side of this subdivision. The railroad tracts on the west side of this subdivision shall not allow the new street to improve traffic circulation, therefore, granting this variance shall not be injurious to the public health, safety or welfare.

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

The applicant is requesting this variance based on the unusual physical characteristics of the area with the presence of railroad tracts which inhibit the possibility of any east-west traffic circulation.

# CITY OF HOUSTON

Houston Planning Commission  
Planning and Development Department



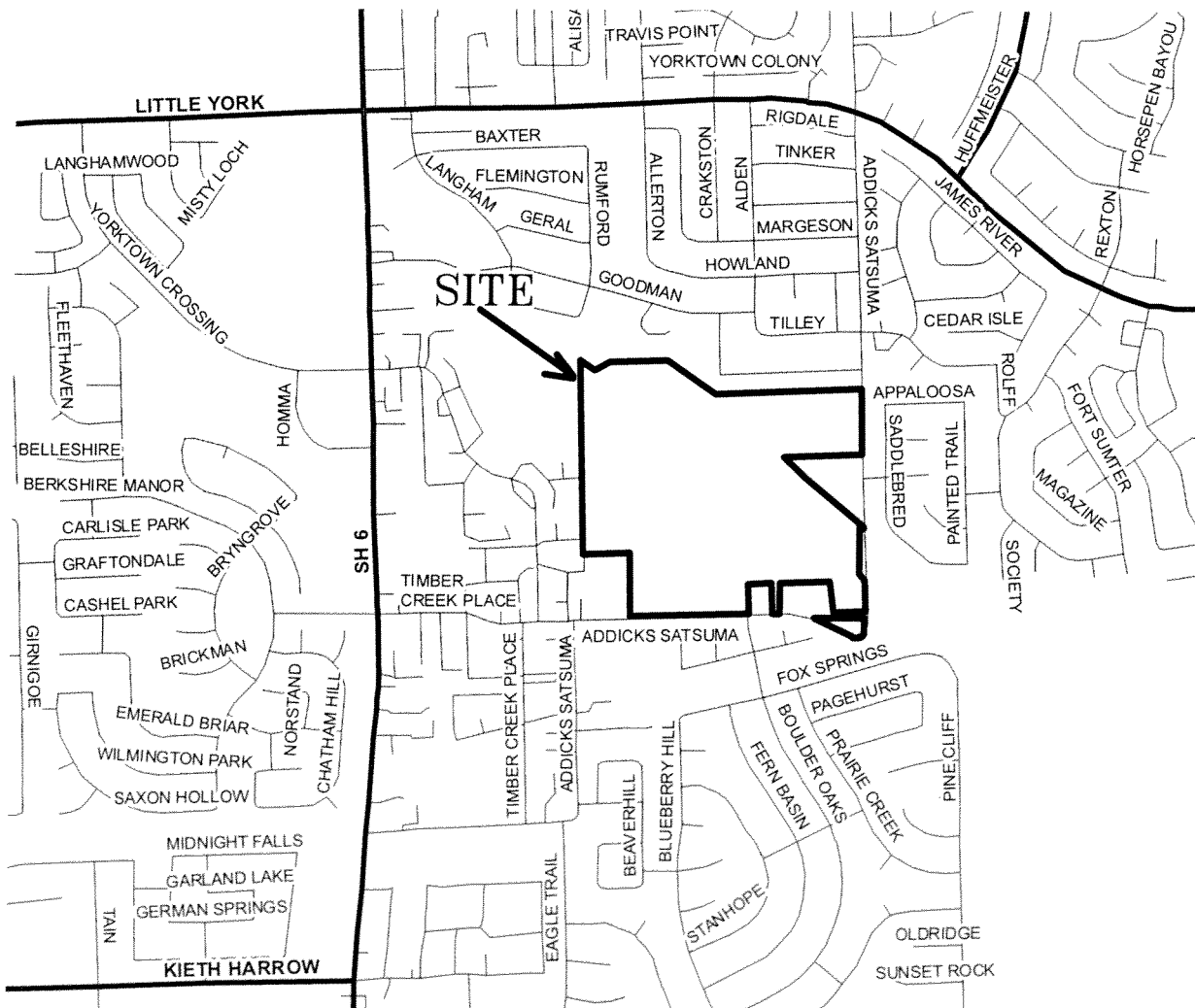
Planning Commission  
Meeting Date: 09/16/2010  
Item: 45

Plat Name: Langham Bayou Links Ltd Subdivision

Applicant: Precision Land Surveying, Inc.



## Area Map



# CITY OF HOUSTON

Houston Planning Commission  
 Planning and Development Department



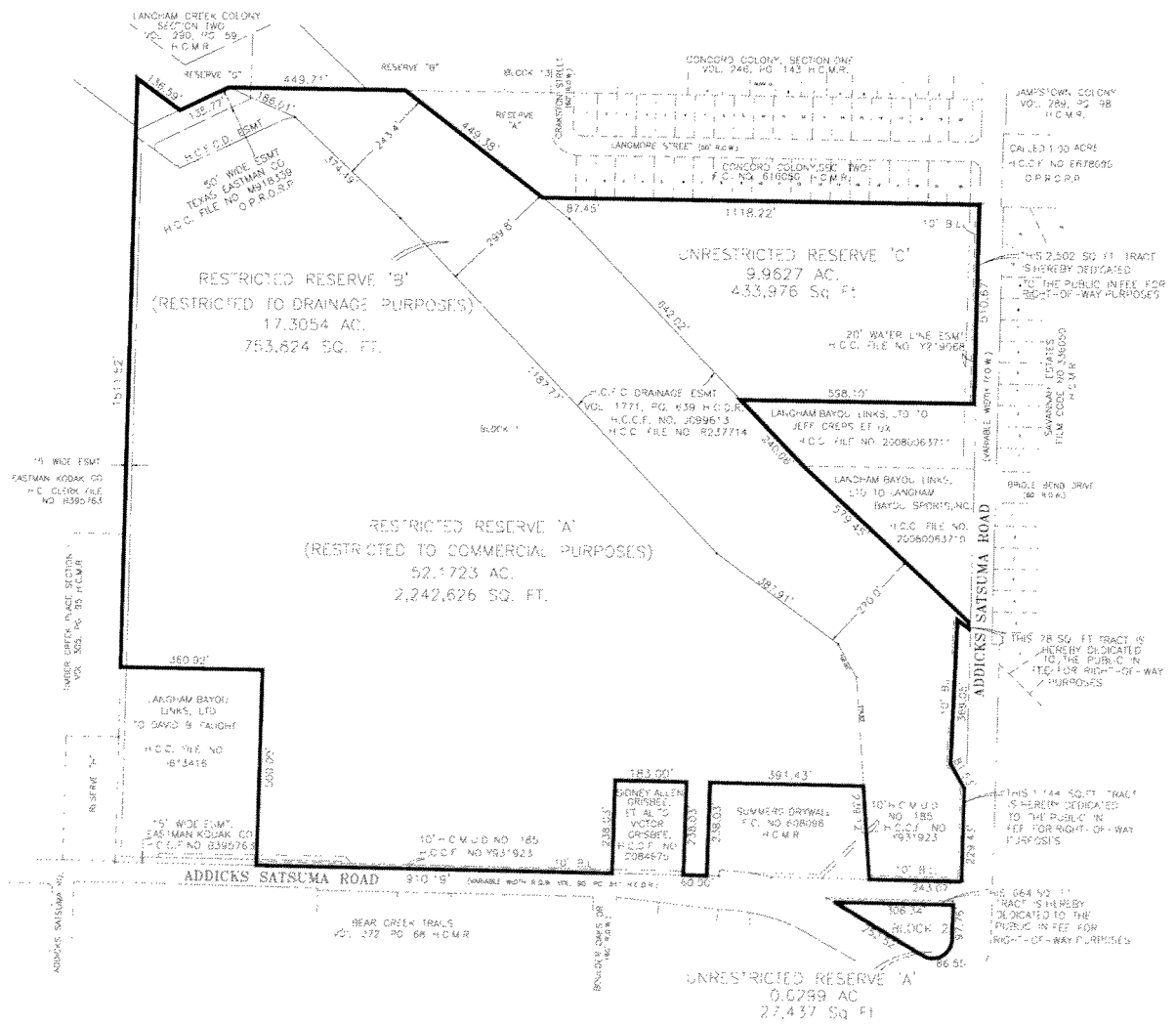
Planning Commission  
 Meeting Date: 09/16/2010  
 Item: 45

Plat Name: Langham Bayou Links Ltd Subdivision

Applicant: Precision Land Surveying, Inc.



## Subdivision Map



## Variance Request Information Form

**Plat Name:** Langham Bayou Links Ltd Subdivision  
**Company Name:** Precision Land Surveying, Inc.  
**Date Submitted:** 09/07/2010

*47 and 81*

**Specific variance is being sought and extent of variance:**  
Block length requirements along Langham Creek

**Chapter 42 Reference:** 42-130

### 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;*

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

This property does not have access to the adjoining tracts to the north and the west. The property to the north is an established residential subdivision whose lots back to this property. There is no place to have a street right-of-way to connect these two properties. There exists a detention pond at the northwest corner of this tract that is approximately 1,000 feet long in a north-south direction and another detention pond in the north portion of the adjoiner tract to the west. The property to the west of this tract is an apartment complex that is currently taking access to dedicated public streets. Any access along the west property line of this tract is currently private would be a security issue for the existing apartment complex and would be undesirable. In addition, a street across this tract would dead-end at the west property line which is not 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 properties to the north and west have been developed for quite a while and the physical characteristics of the site were not of this owners doing.

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

The block length requirement per Chapter 42-130 for the crossing of a drainage channel with a width of more than 220 is one-half mile, which is very nearly what the entire length along Langham Creek is for this site. Langham Creek is more than 240-feet wide at its neareast point. Any street that extends to the west property line of this tract would dead-end into a platted property that has no dedicated public street to tie into. In addition, the block length requirement is very near what this tract has at its maximum length. Given that block length requirements are quidililnes, this development may easily fall within the execution of Chapter 42 anyway.

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

There is little, if any, value in establishing a road right-of-way through this tract. The property will be developed for commercial sites that will take access from private roads and a road right-of-way in this area will not be useful to the public. There is no benefit to the health, safety or welfare of the public by



granting this variance. This property is to be developed for commercial purposes and it may be less safe with private vehicles driving in a commercial development with predominately commercial vehicles.

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

The justification for this variance is that it would serve no purpose for a road right-of-way to be dedicated that crosses Langham Creek in this property. The property is to be developed for small commercial sites that will take access from private streets as they are developed. It will not serve to public well. In addition, the block length requirement is very near what this tract has as its maximum.

# CITY OF HOUSTON

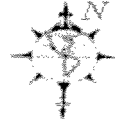
Houston Planning Commission  
Planning and Development Department



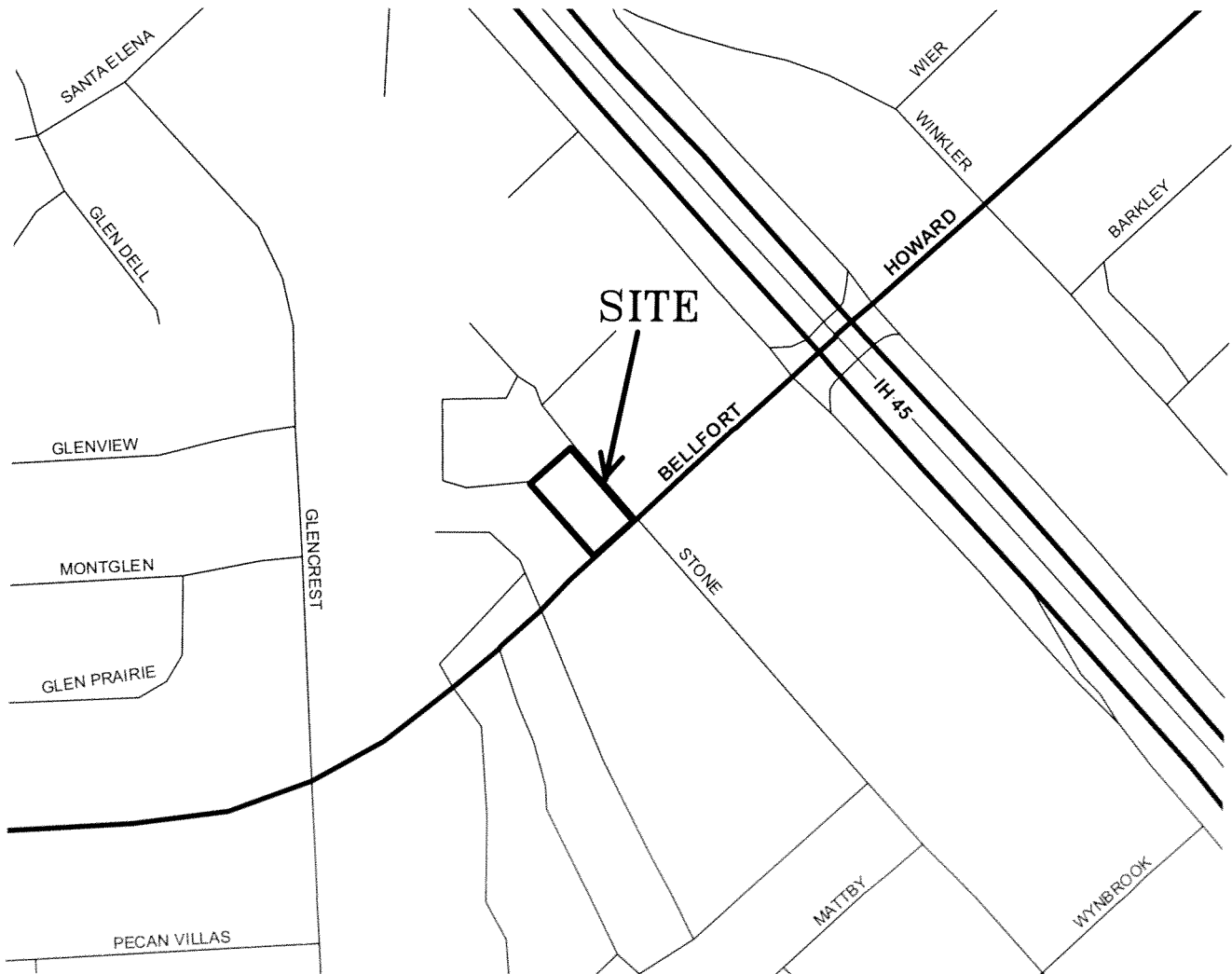
Planning Commission  
Meeting Date: 09/16/2010  
Item: 46

Plat Name: Las Palmas Retail Center Subdivision replat no  
1 and extension

Applicant: INTEGRATED CIVIL MANAGEMENT CO



Area Map



# CITY OF HOUSTON

Houston Planning Commission  
Planning and Development Department

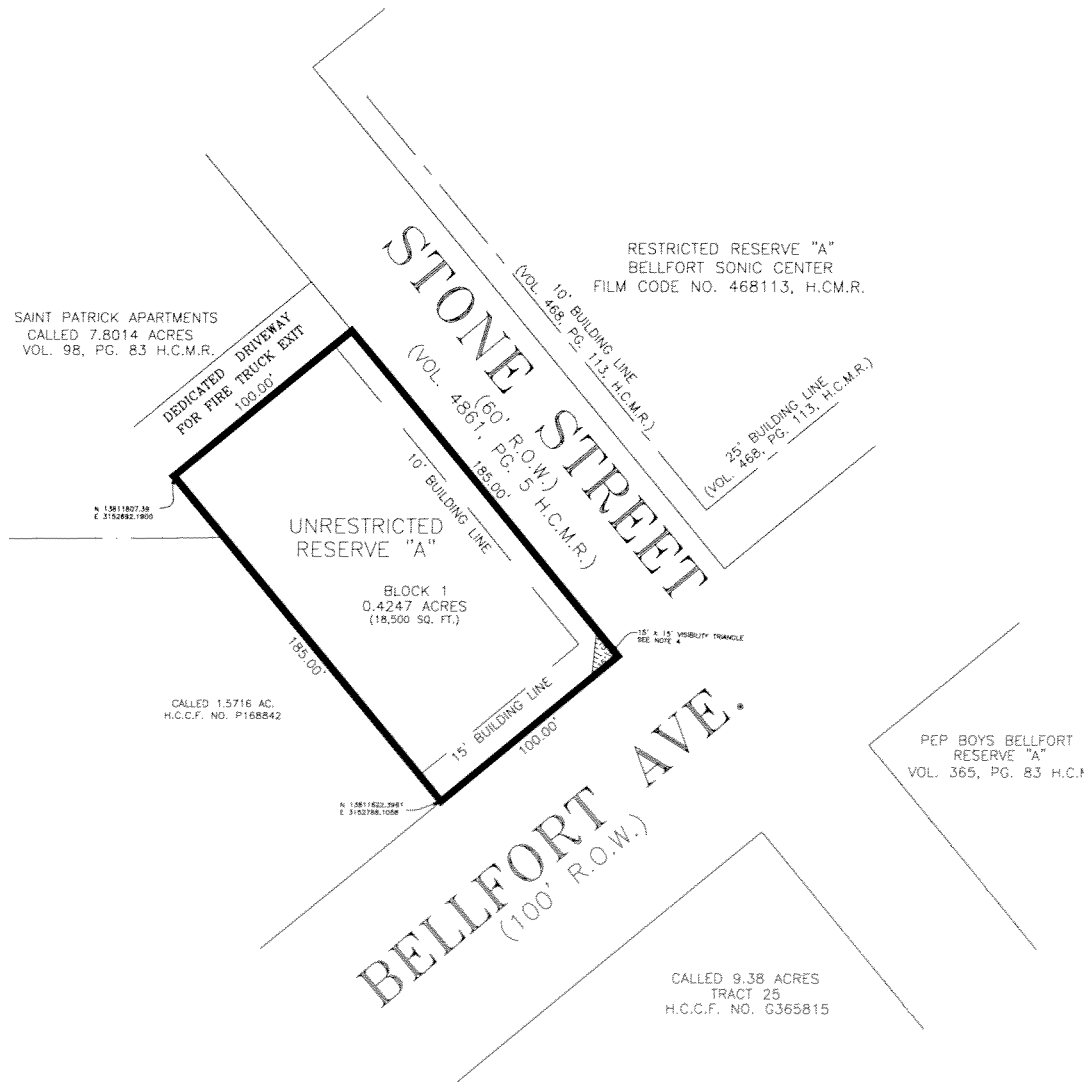


Planning Commission  
Meeting Date: 09/16/2010  
Item: 46

Plat Name: Las Palmas Retail Center Subdivision replat no  
1 and extension  
Applicant: INTEGRATED CIVIL MANAGEMENT CO



## Subdivision Map



## Variance Request Information Form

**Plat Name:** Las Palmas Retail Center Subdivision replat no 1 and extension  
**Company Name:** INTEGRATED CIVIL MANAGEMENT CO  
**Date** 08/21/2010  
**Submitted:**

47 and 81

**Specific variance is being sought and extent of variance:**

Building Set Back on Bellfort Ave is requested to be 15' rather than 25'

**Chapter 42 Reference:** 42-152. Building line requirement along major thoroughfares--General requirement.

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 article.

**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;*

Las Palmas Retail Center subdivision Replat no.1 development consist of 10000 s.f. of Retail area which also includes 4000 s.f. of Washeteria for the use of 200 residents of Saint patrick Apartments and surrounding Apartment communities in the area. This Proposed development had been planned to replace old apartment building which did burn and damaged badly in the fire and demolished debris was removed from the site not too long ago. The Proposed project will have a Positive effect on the surrounding neighborhood. since residents in the area are demanding a nice washeteria facility & retail space in this area.

The setback of previous apartment building was built at 10.00' building setback from bellfort Ave( See Attached Saint Patrick Apartments Plat & Pics of previous Apartments in Demolished Condition) Bellfort Ave has a R.O.W. of 80.00' and 50.00' of Paving section with the Median. The Proposed Building will be still approximately 30.00' away from the back of the curb. Developer will build a new sidewalk along Bellfort Ave. The new building Designs will in no way interfere with traffic visibility and will promote Pedestrian activity. New Landscaping will be done to give new look to the block along bellfort ave.

*(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 Designation of Bellfort Ave as a major thoroughfare was made many years ago before the adoption of the new Criteria of building set backs for the Thoroughfares by the City.

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

One of the purposes of Chapter 42 is to enhance the Pedestrian activity in an area, which is accomplished in part by building close to the sidewalk, The requested set back of 15.00' will aid in maintaining the Character of the Neighborhood.

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

The Proposed Improvements will eliminate unsafe conditions created by an old burned building which was a health hazard to the residents & specifically Children and improve the pedestrian access and activities and maintain safe traffic visibility.

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

Granting this variance will actually make this property more safe compared to the previous old building condition, which was demolished by the owner due to public health hazard and safety concerns.

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

We confirm that economic Hardship is not the sole justification of the variance. Granting of the 15.00' set back will allow new construction to be consistent with the existing character of the surrounding neighborhood.

# CITY OF HOUSTON

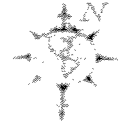
Houston Planning Commission  
Planning and Development Department



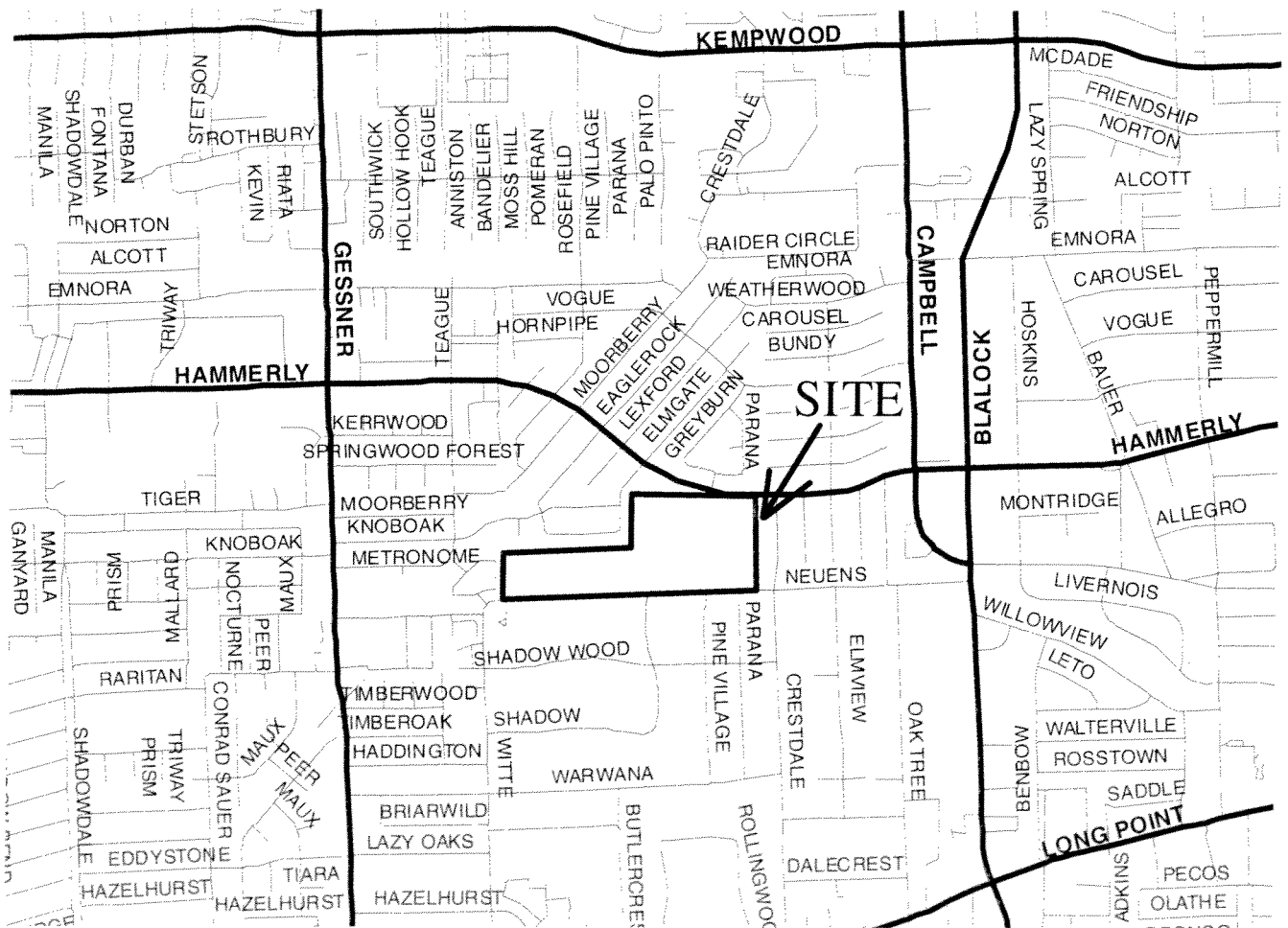
Planning Commission  
Meeting Date: 09/16/2010  
Item: 47

Plat Name: Spring Branch ISD Spring Woods Middle and Pine Shadows Elementary GP

Applicant: Westbelt Surveying



Area Map



# CITY OF HOUSTON

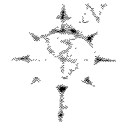
Houston Planning Commission  
Planning and Development Department



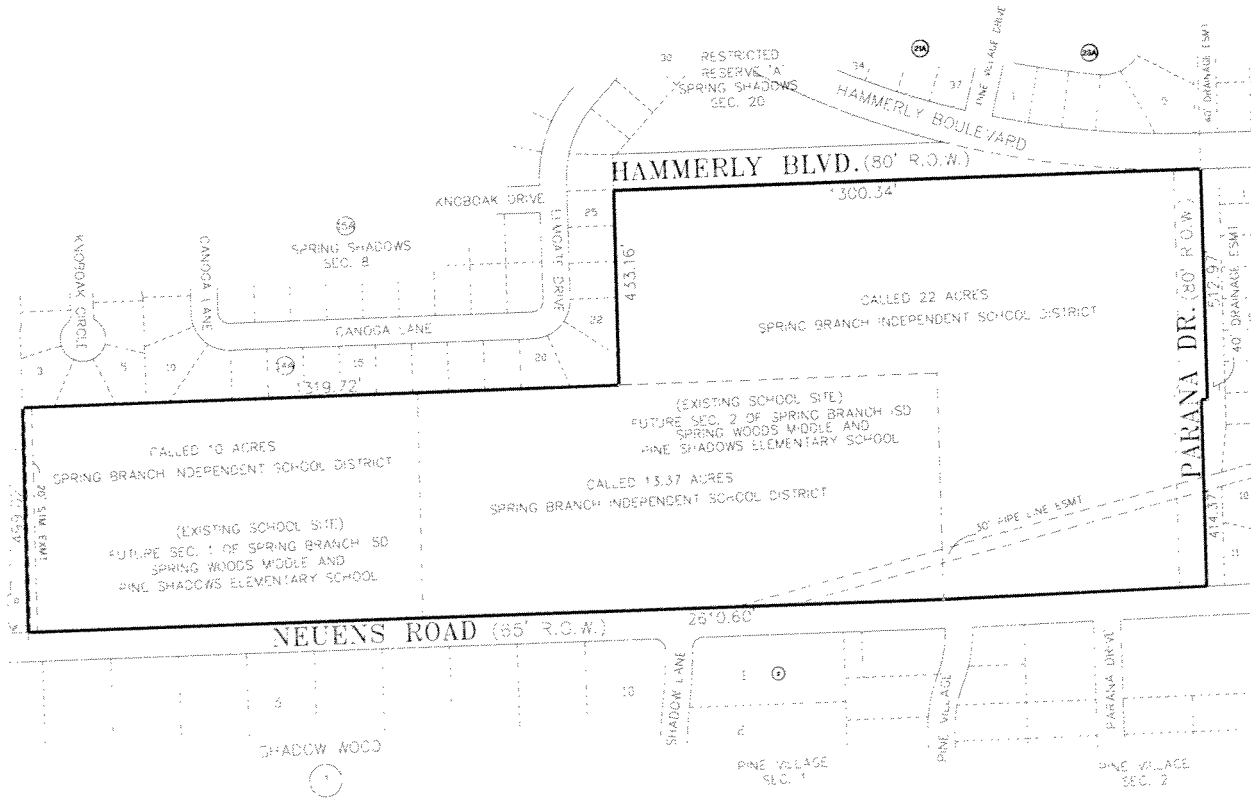
Planning Commission  
Meeting Date: 09/16/2010  
Item: 47

Plat Name: Spring Branch ISD Spring Woods Middle and  
Pine Shadows Elementary GP

Applicant: Westbelt Surveying



## Subdivision Map



## Variance Request Information Form

**Plat Name:** Spring Branch ISD Spring Woods Middle and Pine Shadows Elementary GP  
**Company Name:** Westbelt Surveying  
**Date** 09/07/2010  
**Submitted:**

47 and 81

**Specific variance is being sought and extent of variance:**

42-128(a)(1); Each class III plat and each general plan that shows local streets shall provide for internal circulation by meeting either of the following requirements: Each local street shall intersect with a street that meets the requirements of subsection (b) at least every 1400 feet:

**Chapter 42 Reference:** 42-128

**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;*

*(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 applicant would be forced to remove some existing school structures to accommodate a road that, arguably, is not needed.

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

Granting the variance is based upon existing circumstances and the ISD's long existence on the property. Both schools on this tract were built decades ago and have lived in harmony with the surrounding area as developed ever since.

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

The intent and general purposes of this chapter are to improve mobility and safety of this property and that of others around it. While there might be a slight increase in the traffic flow in and around the area there would be a great decrease in the safety at the schools if a road were to be punched through the middle of them. The reduction in safety and security would far outweigh the increase in mobility.

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

The granting of the variance will not be injurious to the public health, safety or welfare. It will keep a public street out of the middle of a school yard which we all can agree will provide for a safer school environment for all who attend and work there.

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

Economic hardship is not the sole justification of the variance, existing school facilities are.



# CITY OF HOUSTON

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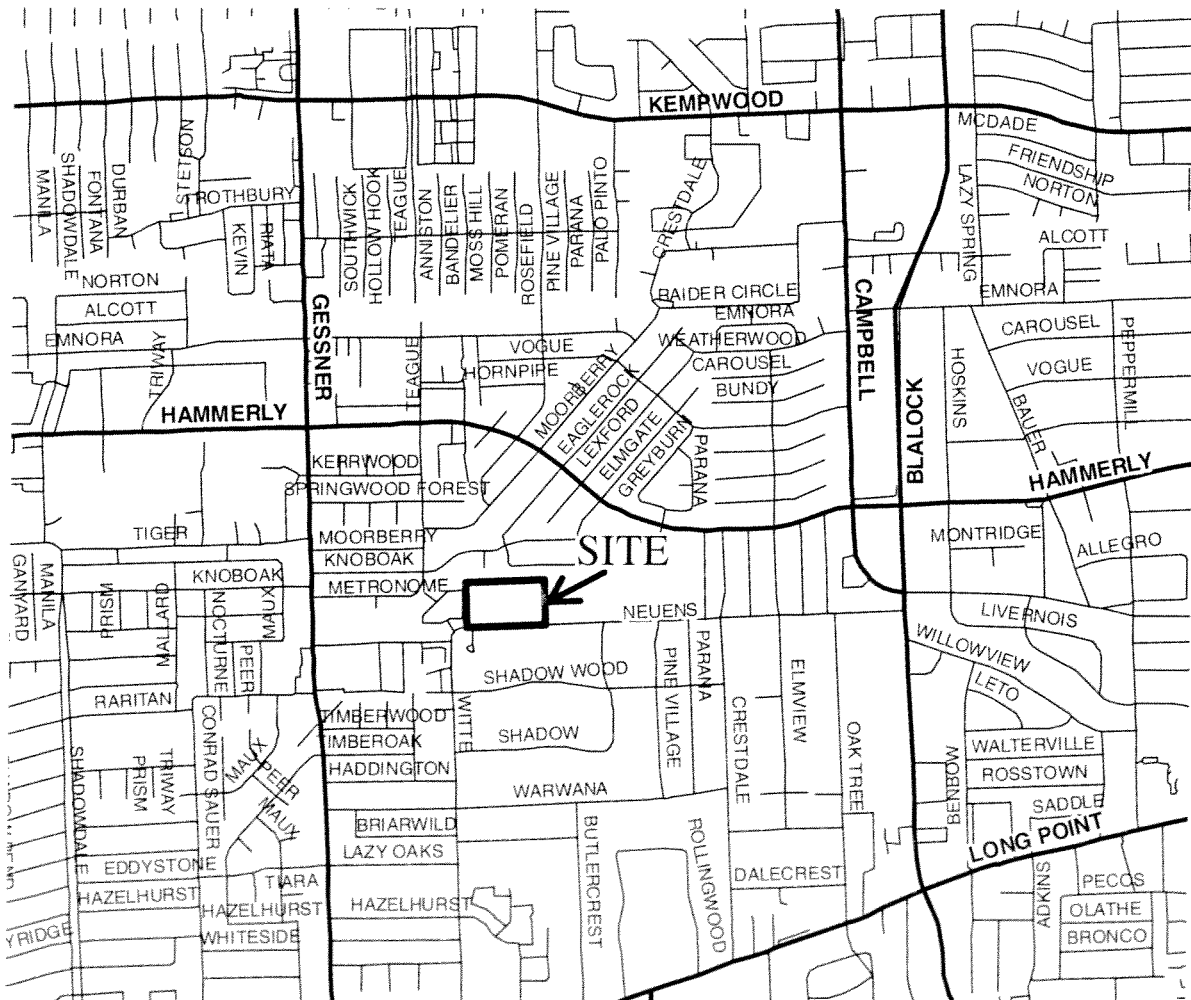


Planning Commission  
Meeting Date: 09/16/2010  
Item: 48

Plat Name: Spring Branch ISD Pine Shadows Elementary  
Sec 1  
Applicant: Westbelt Surveying



Area Map



# CITY OF HOUSTON

Houston Planning Commission  
Planning and Development Department



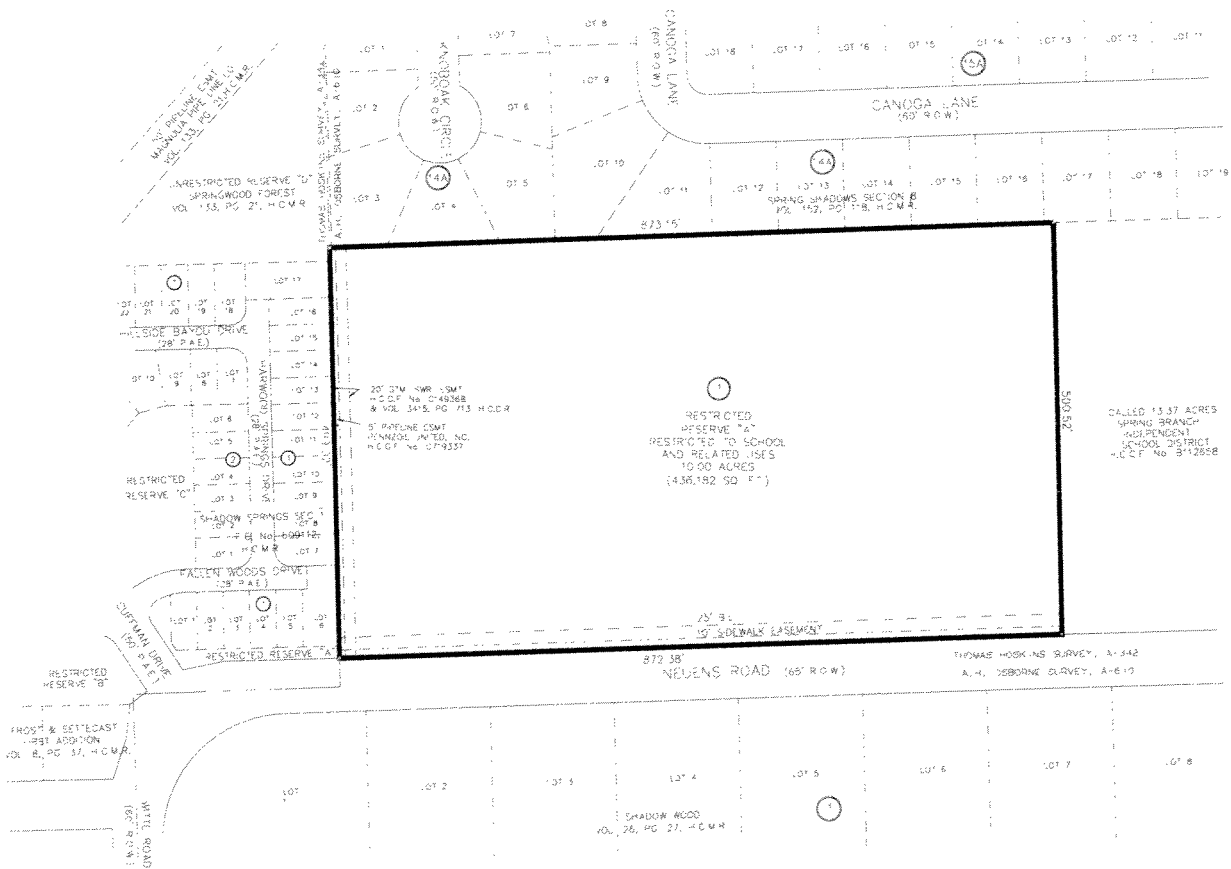
Planning Commission  
Meeting Date: 09/16/2010  
Item: 48

Plat Name: Spring Branch ISD Pine Shadows Elementary  
Sec 1

Applicant: Westbelt Surveying



## Subdivision Map



# CITY OF HOUSTON

Houston Planning Commission  
Planning and Development Department



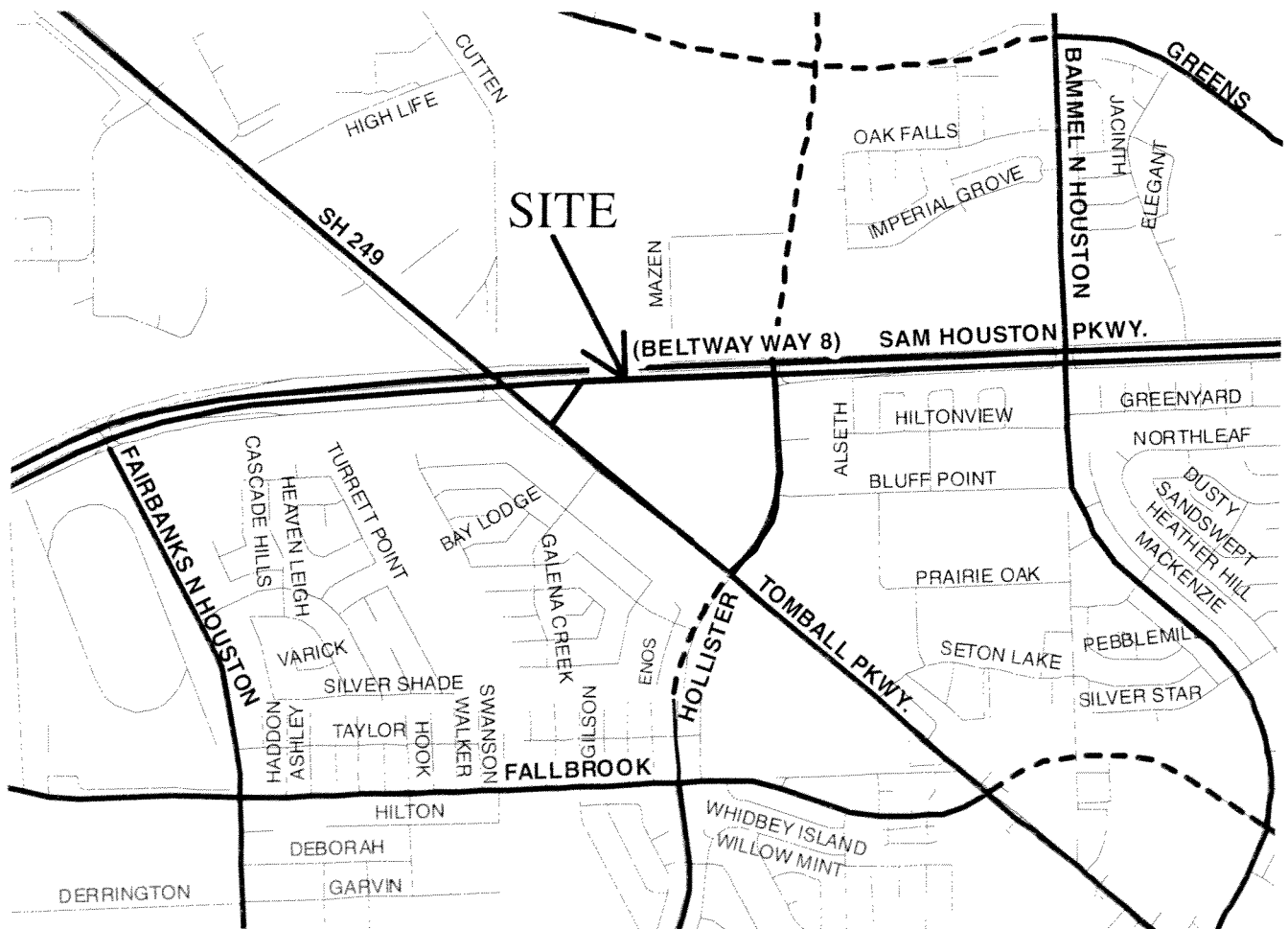
Planning Commission  
Meeting Date: 09/16/2010  
Item: 49

Plat Name: Beltway Lakes Office Park Sec 1 (DEF)

Applicant: Pate Engineers Inc.



Area Map



# CITY OF HOUSTON

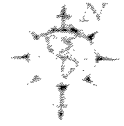
Houston Planning Commission  
Planning and Development Department



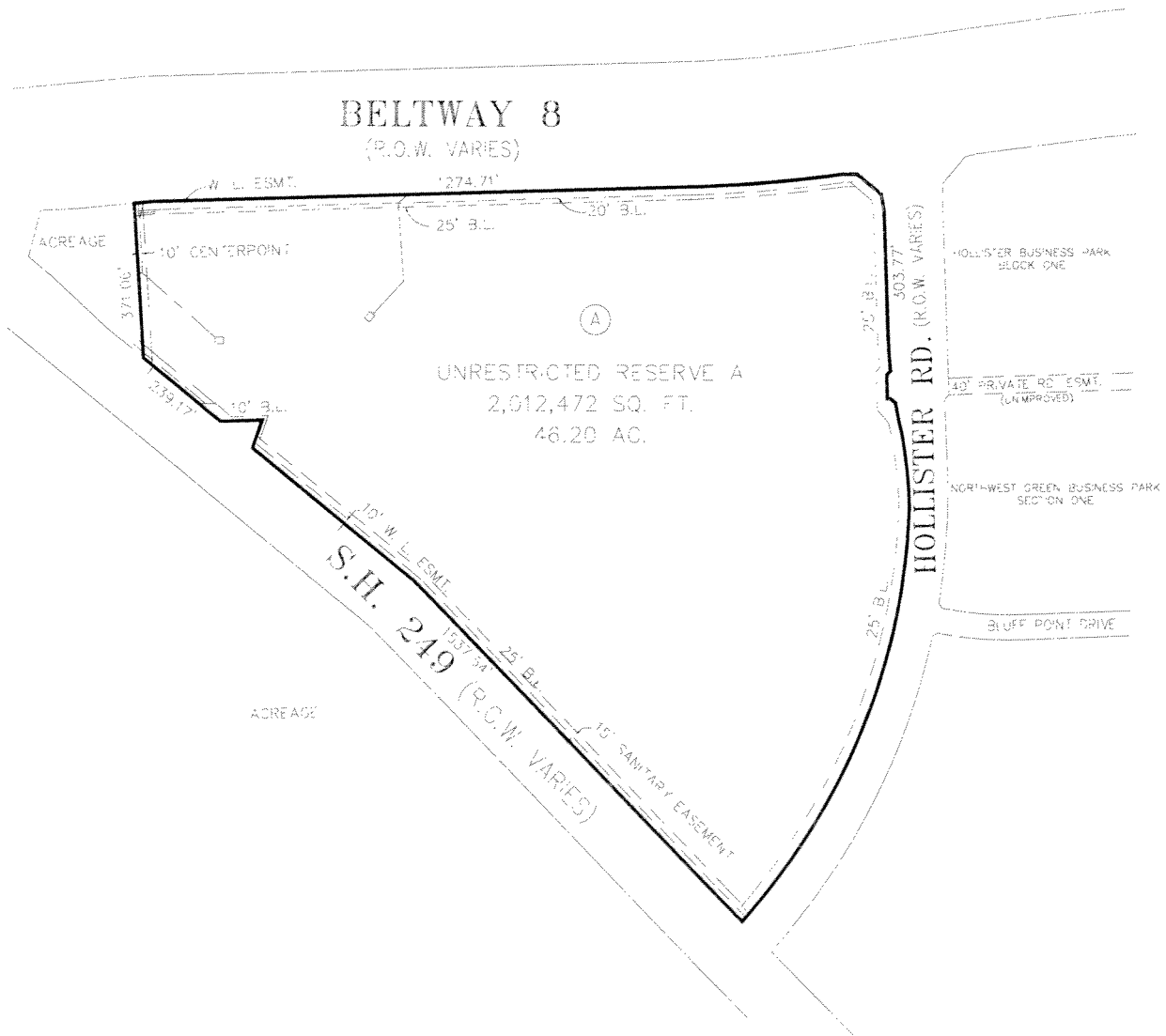
Planning Commission  
Meeting Date: 09/16/2010  
Item: 49

Plat Name: Beltway Lakes Office Park Sec 1 (DEF)

Applicant: Pate Engineers Inc.



## Subdivision Map



## Reconsideration of Requirement Information Form

**Plat Name:** Beltway Lakes Office Park Sec 1 (DEF)  
**Applicant:** Pate Engineers Inc.  
**Date** 08/23/2010  
**Submitted:**

*47 and 81*

### **Specific requirement or condition being sought**

Variance is being sought to provide a 10' building line adjacent to TxDot property

**Chapter 42 Reference:** 42-150 Building Line Requirement

**Does this request require a variance or special exception?** ● Yes ○ No

(If yes, 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:**

(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;

The irregular shape of SH249 is directly related to the abandoned right-of-way of Hiltonview Road. Hiltonview Road was a 40-foot right-of-way that was abandoned in February 2007. When the right-of-way for SH249 was acquired, a cut back in the right-of-way was obtained to allow for a larger radius necessary to make a right hand turn. If the Hiltonview right-of-way did not exist at the time the SH249 right-of-way was acquired, the cutback in the right-of-way would not have existed. Since Hiltonview right-of-way has since been abandoned, the need for the cut back in the right-of-way is no longer necessary. The proposed 10ft building line along the triangular irregularity in the right-of-way will provide for a setback from the SH249 curb of 96-feet which exceeds the setback to the curb of 38-feet without the irregularity. The triangular area is necessary for private driveway access from SH 249. This variance was previously approved in April 2008.

(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;

a. The request for the variance is related to the irregularity in the SH 249 right-of-way that was created for the Hiltonview right-of-way which has been abandoned. Strict application of the need for a 25-foot building line along the irregularity shape of the right-of-way provides an unnecessary setback from the curb of SH249.

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

a. The circumstances supporting the granting of the variance are based on the existing conditions on the tract.

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

a. By allowing the building line to be reduced to 10-feet along the irregular shaped cutback, the intent of this chapter has been maintained. The proposed 10ft building line along the triangular irregularity in the right-of-way will provide for a setback from the SH249 curb of up to 96-feet which exceeds the setback to the curb of 38-feet without the irregularity.

- (4) The granting of the variance will not be injurious to the public health , safety or welfare;
  - a. Granting of variance will not be injurious to the public health , safety or welfare.
- (5) Economic hardship is not the sole justification of the variance .
  - a. Economic hardship is not the justification of the variance .

# Variance Request Information Form

**Plat Name:** Beltway Lakes Office Park Sec 1 (DEF)  
**Company Name:** Pate Engineers Inc.  
**Date** 08/23/2010  
**Submitted:**

47 and 81

**Specific variance is being sought and extent of variance:**

A variance is being sought provide a 10' building line adjacent to TxDOT property.

**Chapter 42 Reference:** 42-150 Building Line Requirement

**Statement of Facts:**

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

The irregular shape of SH249 is directly related to the abandoned right-of-way of Hiltonview Road. Hiltonview Road was a 40-foot right-of-way that was abandoned in February 2007. When the right-of-way for SH249 was acquired, a cut back in the right-of-way was obtained to allow for a larger radius necessary to make a right hand turn. If the Hiltonview right-of-way did not exist at the time the SH249 right-of-way was acquired, the cutback in the right-of-way would not have existed. Since Hiltonview right-of-way has since been abandoned, the need for the cut back in the right-of-way is no longer necessary. The proposed 10ft building line along the triangular irregularity in the right -of-way will provide for a setback from the SH249 curb of 96-feet which exceeds the setback to the curb of 38-feet without the irregularity. The triangular area is necessary for private driveway access from SH 249. This variance was previously approved in April 2008.

*(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 request for the variance is related to the irregularity in the SH 249 right-of-way that was created for the Hiltonview right-of-way which has been abandoned. Strict application of the need for a 25-foot building line along the irregularity shape of the right-of-way provides an unnecessary setback from the curb of SH249.

*(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 conditions on the tract.

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

By allowing the building line to be reduced to 10-feet along the irregular shaped cutback, the intent of this chapter has been maintained. The proposed 10ft building line along the triangular irregularity in the right-of-way will provide for a setback from the SH249 curb of up to 96-feet which exceeds the setback to the curb of 38-feet without the irregularity.

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

Granting of variance will not be injurious to the public health, safety or welfare.

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



# CITY OF HOUSTON

Houston Planning Commission  
Planning and Development Department



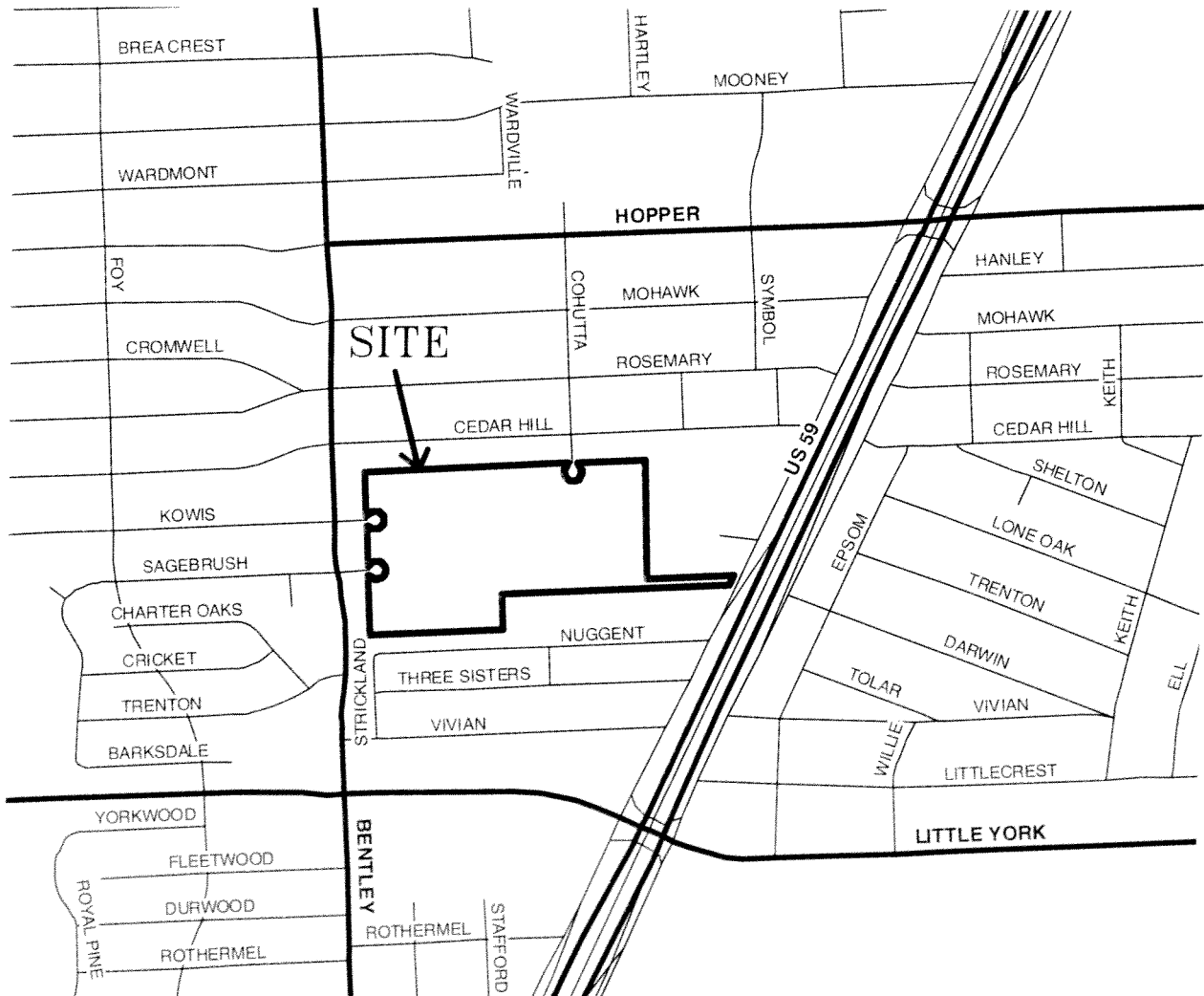
Planning Commission  
Meeting Date: 09/16/2010  
Item: 50

Plat Name: James Driver Park Subdivision

Applicant: Cobb, Fendley & Associates, Inc.



## Area Map



# CITY OF HOUSTON

Houston Planning Commission  
 Planning and Development Department



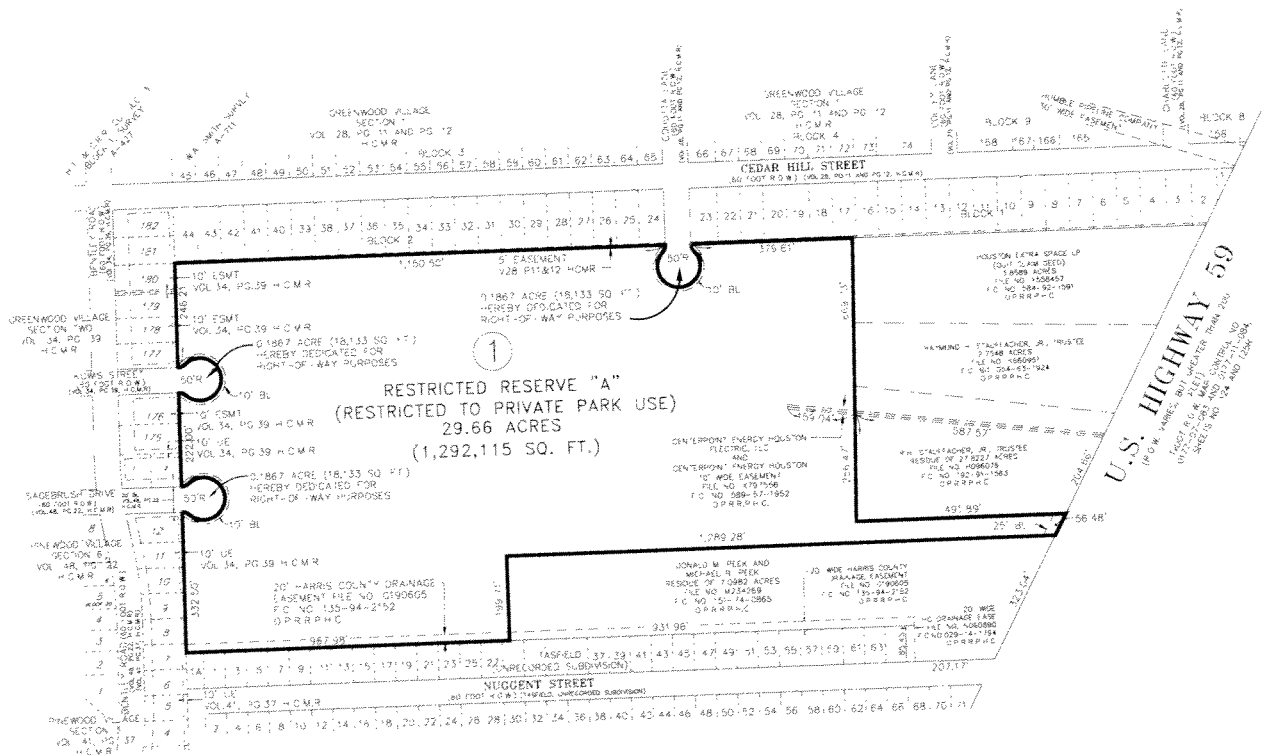
Planning Commission  
 Meeting Date: 09/16/2010  
 Item: 50

Plat Name: James Driver Park Subdivision

Applicant: Cobb, Fendley & Associates, Inc.



## Subdivision Map



## Variance Request Information Form

**Plat Name:** James Driver Park Subdivision  
**Company Name:** Cobb, Fendley & Associates, Inc.  
**Date** 09/07/2010  
**Submitted:**

47 and 81

**Specific variance is being sought and extent of variance:**

Not to extend Cohutta Lane into this property.

**Chapter 42 Reference:** 42-135

**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;*

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;*

This property is an existing Harris County park and serves as a public recreational facility . Extending Cohutta Lane through this property would negatively impact the public by splitting it and leaving it in an impractical configuration for recreational usage requiring contiguous property . Extending this roadway would not promote vehicular circulation since it would cause right -of-way to extend to the rear of existing homes constructed within an unrecorded subdivision . These existing homes will prevent the roadway from being extended to connect to existing right-of-way for traffic outlet.

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

The property represents an existing park that is in -place to serve the community. Homes constructed south of the property will prevent the roadway from being extended to a point that would allow an outlet for vehicular circulation .

*(3) The intent and general purposes of this chapter will be preserved and maintained;*  
Street extensions are required to insure adequate area circulation . However, in this case, the Eastex Freeway (US 59), is only 1270 feet east of Cohutta Lane and provides better than normal north/south traffic flow.

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

Granting the variance will insure that traffic is not routed to an inevitable turn -around and will prevent the routing of traffic into a park area . Granting the variance will prevent the introduction of traffic into a recreational area, thereby maintaining public safety .

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

The justification for the variance is that it prevents the introduction of traffic into an area that offers no outlet due to the existing homes and it prevents exposing the public to traffic in a recreational area .



**VARIANCE REQUEST APPLICATION**

An applicant seeking a variance and/or special exception to the Planning Standards of Chapter 42 of the City of Houston's Code of Ordinances must complete the following application and submit an electronic copy of the Microsoft Word document to [planning.variances@cityofhouston.net](mailto:planning.variances@cityofhouston.net) prior to 11:00am on the submittal dates adopted by the Houston Planning Commission. For complete submittal requirements, please visit the City of Houston Planning & Development Department website at [www.houstonplanning.com](http://www.houstonplanning.com).

APPLICANT COMPANY	CONTACT PERSON	PHONE NUMBER	EMAIL ADDRESS		
James and Valiree Tates	Albert Anderson	(832) 573-8234	planning.variances@houstontx.gov		
PROPERTY ADDRESS	FILE NUMBER	ZIP CODE	LAMBERT	KEY MAP	DISTRICT
3210 Elmcrest Drive	10063807	77088	5162D	411V	

**HCAD ACCOUNT NUMBER(S):** 1159340040006  
**PROPERTY LEGAL DESCRIPTION:** LT 6 BLK 4, OAKS OF INWOOD SEC 5 AMENDED  
**PROPERTY OWNER OF RECORD:** TATES, JAMES R & VALIREE G  
**ACREAGE (SQUARE FEET):** 8,931 SF  
**WIDTH OF RIGHTS-OF-WAY:** Victory Drive (80'); Elmcrest Drive (60')  
**EXISTING PAVING SECTION(S):** Victory Drive (80'); Elmcrest Drive (60')  
**OFF-STREET PARKING REQUIREMENT:** 2 spaces  
**OFF-STREET PARKING PROVIDED:** Complies  
**LANDSCAPING REQUIREMENTS:** Complies

**EXISTING STRUCTURE(S) [TYPE; SQ. FT.]:** Vacant  
**PROPOSED STRUCTURE(S) [TYPE; SQ. FT.]:** Residence (4,314 SF)

**PURPOSE OF VARIANCE REQUEST:**  
 The purpose of the variance request is to allow a 16' building setback line along Victory Drive, a designated major thoroughfare. Chapter 42 requires a minimum 25' building setback for the proposed residential development.

**CHAPTER 42 REFERENCE(S):**  
*Sec. 42-152. - Building line requirement along major thoroughfares—General requirement.*  
 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 article.

**DEVELOPMENT PLAT VARIANCE**



## APPLICANT'S STATEMENT OF FACTS

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

The City of Houston mandates a 25 foot building line on all major thoroughfares. We contend that this mandate is rendered moot by the existence of an 8 foot high communal privacy fence that separates the property in question from Victory drive. The fence is in effect plat protected in that the plat clearly states that all lots fronting on Victory Drive at this location in the subdivision are inaccessible because of this fence.

Any property that is open to Victory Drive would of course have to be subject to this ordinance but as one can see the ordinance in this case can have no effect on the property in question because of this physical separation.

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

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

The imposition of a 25 building line against the existing 16 foot building line creates an undue hardship because the 25 foot imposed building line will never be use by reason of a permanent 8 foot privacy fence that separates the property as well as the adjoining properties on the block from access to Victory Drive. In point of fact the subdivision plat states that this lot as well as the other aforementioned lots are inaccessible to Victory Drive.

**(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 purchased the property as is. The applicant has made no improvements on the property. The property was purchased with the existing 8 foot privacy fence that is utilized by all houses on that block that abuts to Victory Drive.

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

The intent of the chapter will be preserved and maintained because the existence of this privacy fence on Victory does not allow for visible development on this Street thereby maintaining consistency in street frontage with no parking and no landscape requirements. To reiterate, this is a permanent communal privacy fence that is protected by the subdivision plat.

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# DEVELOPMENT PLAT VARIANCE



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

Because the development occurs behind the fence on private property the public will not have access to this land thereby presenting no chance of injury to the public's health safety or welfare.

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

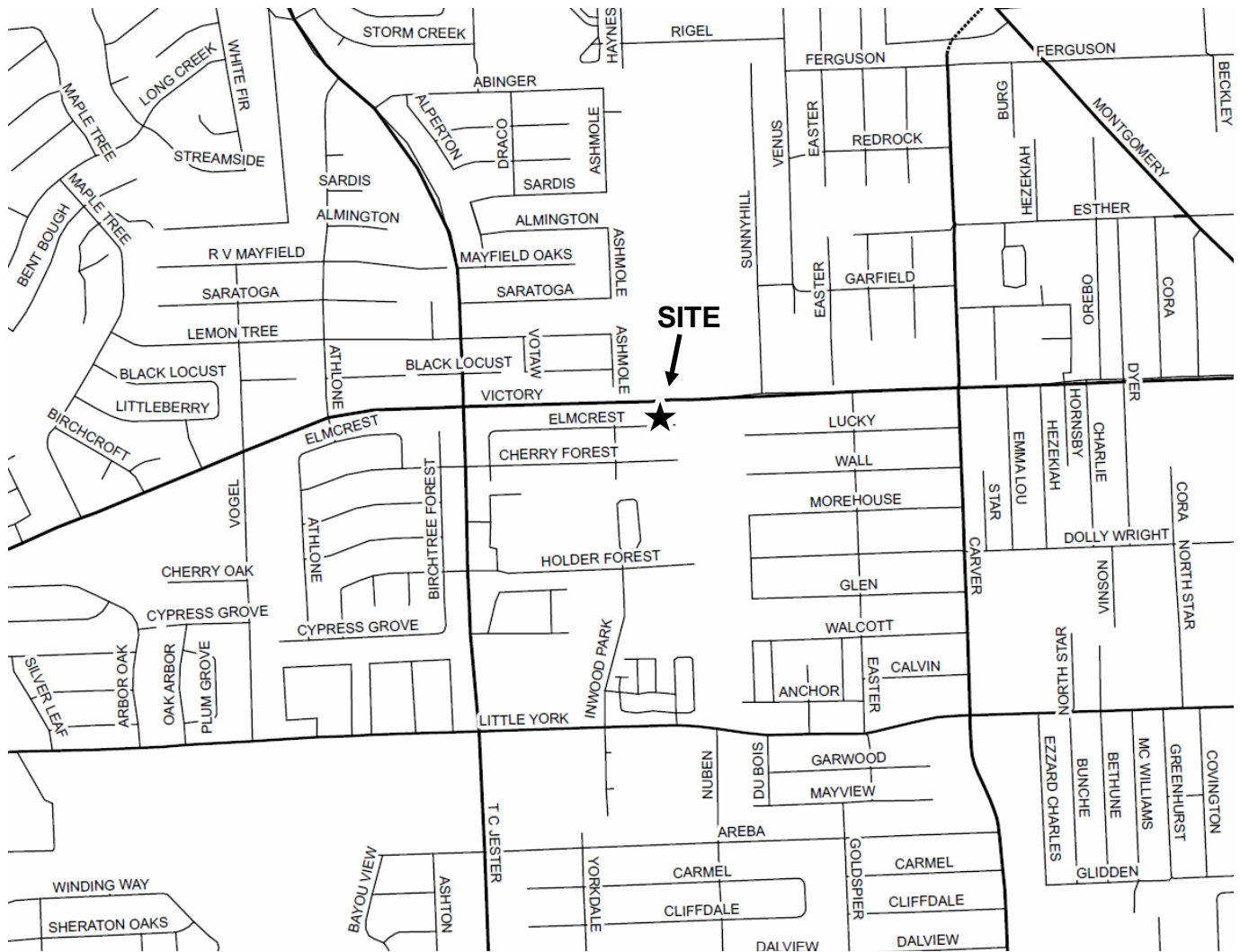
Another justification for this variance is based on the applicant's ability to create a residence that gives them the room to satisfy the living requirements for their family. By imposing a 25 foot building line that will not have any effect on Victory Drive on the other side of this communal property fence, surely it can be seen that the taking away of 9 foot in the house depth will severely hamper the applicant being able to fully utilize a property that was designed with the 16 foot building line to afford the ability for residents to build a home that will meet their needs.

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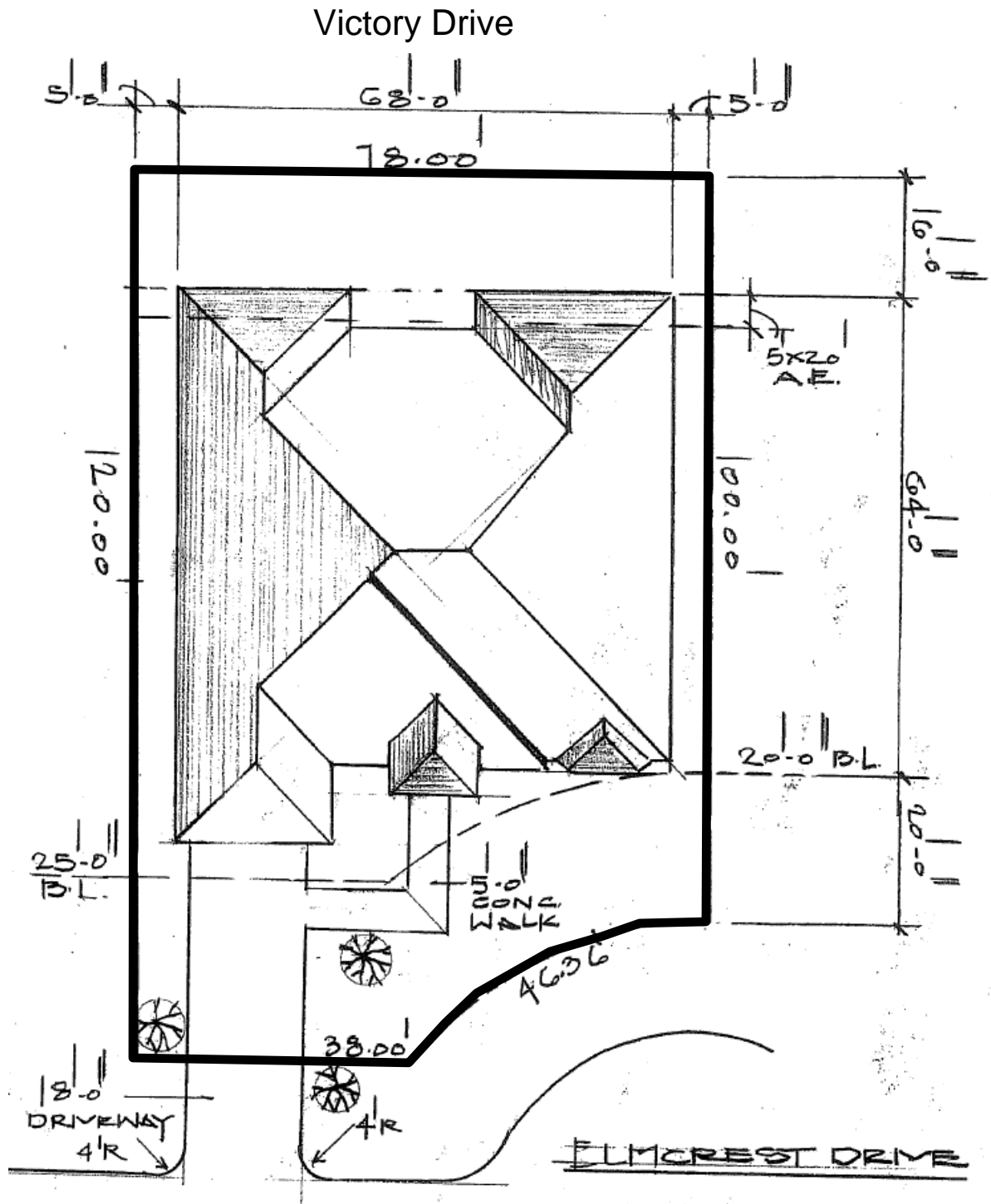
# DEVELOPMENT PLAT VARIANCE



AREA MAP



DEVELOPMENT PLAT VARIANCE



# DEVELOPMENT PLAT VARIANCE





## STAFF REPORT

**Staff Recommendation:**

**Basis of Staff Recommendation:**

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**PLANNING COMMISSION ACTION:**

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

**ADDITIONAL FINDINGS BY PLANNING COMMISSION:**

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# DEVELOPMENT PLAT VARIANCE

**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@cityofhouston.net](mailto:planning.variances@cityofhouston.net) prior to 11:00am on the submittal dates adopted by the Houston Planning Commission. For complete submittal requirements, please visit the City of Houston Planning & Development Department website at [www.houstonplanning.com](http://www.houstonplanning.com).

APPLICANT COMPANY	CONTACT PERSON	PHONE NUMBER	EMAIL ADDRESS	
Taylor Made Designs	Brad Taylor	(713) 973-9889	planning.variances@houstontx.gov	
PROPERTY ADDRESS	ZIP CODE	LAMBERT	KEY MAP	COUNCIL DISTRICT
310 Cavalcade Street	77099	5359	453U	District H

HCAD ACCOUNT NUMBER(S): 0211860760004; 0211860760020  
 PROPERTY LEGAL DESCRIPTION: TRS 4 18 & 19 BLK 76, TRS 20 & 21 BLK 76; IRVINGTON  
 PROPERTY OWNER OF RECORD: N B M PROPERTIES INC; DAIRY QUEEN INC 029  
 ACREAGE (SQUARE FEET): 17,834 SF  
 WIDTH OF RIGHTS-OF-WAY: Cavalcade Street (varies); Fulton Street (varies); McEwen Street (60')  
 EXISTING PAVING SECTION(S): Cavalcade Street ( ); Fulton Street ( ); McEwen Street ( )  
 OFF-STREET PARKING REQUIREMENT: 28 spaces  
 OFF-STREET PARKING PROVIDED: 14 spaces

EXISTING STRUCTURE(S) [SQ. FT.]: 2,108 SF Restaurant (to be demolished)  
 PROPOSED STRUCTURE(S) [SQ. FT.]: 3,528 SF Restaurant

**PURPOSE OF VARIANCE REQUEST:**

The purpose of the variance request is to allow a 3,528 SF restaurant to provide 14 off-street parking spaces instead of the 28 spaces required under Chapter 26.

**OFF-STREET PARKING VARIANCE**



**CHAPTER 26 REFERENCE(S):**

Type of Occupancy	Parking Spaces
Class 7. Bar or Restaurant:	
a. Restaurant (including outdoor decks, patio and/or seating areas)	8.0 spaces for every 1,000 square feet of GFA and outdoor decks, patio and/or seating areas in excess of 15% of gross floor area

**APPLICANT STATEMENT OF FACTS**

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

History:

Dairyland's customer base is acquired through drive through or walk up sales. Very few customers drive to, sit, and eat. They are a neighborhood service where many of the customers ride the metro bus that stops at their corner. Therefore, the parking lot is not used by more than 4 to 5 autos at any one time. Dairyland has served generations of family's in this area. They are an established family restaurant. They are one of the few safe places in the area that a family can walk to for good food and a family experience. The loss of this restaurant would be a blow to the neighborhood. Based on sales receipts, Dairyland has 65-70% of Drive-Through business and 30-35% of Dine-In business. Already they have lost their drive through business for not having a drive through lane.

Metro approached Dairyland two years ago to inform that Metro was looking for a Metro Rail North Corridor. The city counsel had decided that Fulton was to be used. Metros preliminary plan cut off access to Dairyland's drive through lane, which is a large part of their business.

Dairyland decided to build a new store on the adjacent land. The owners of Dairyland decided that Metro was not offering enough compensation for the land, the loss or damage of business during rail construction, and the cost of building a store. They hired an attorney and an engineering group to determine the cost of a new restaurant. The compensation was not enough to build a new building.

At the end of negotiations, Metro stated that they would need more property than first designed. This taking would cause the removal of part of the front canopy. Metro stated that they would only pay for the part of the canopy that was removed and the loss of the removed land.

The Real Estate Metro Representative assured Dairyland that the city would work with them in regards to a 10 foot setback and that there would be no problems. They were not told that Dairyland would have to submit to certain design criteria concerning this setback.

Dairyland Design Criteria:

The existing store is 2,108 square feet with 18 parking spaces. More than half of those spaces are never used. The current store is woefully poor in storage space. Mr. Moebasher works his store differently than most fast foods. We desires a large bulk storage area, 600 SF or greater, 250 SF walk-in cooler and freezer, both an order window and a delivery window (currently, they walk the product out to the customers), an employee restroom in addition to the required public restrooms, and a large private office, in addition to the kitchen and prep areas.

**OFF-STREET PARKING VARIANCE**



His desire is to leave the existing restaurant in place until the new building is ready to move in the kitchen equipment and all the details for running the business after the structure is completed. Then the old business will be torn down, and the parking lot, remainder of the "Opt-In" building façade, Entrance Patio and landscaping will be added. Then the business will be ready for final inspections and occupancy. His goal is to have his business closed in as little time as possible.

Mr. Moebasheri's desire for a large bulk storage area as well as storage shelving near the kitchen for can goods, requires a building larger than the parking space allowance can provide. In addition, the requirement for the Opt-In of a friendly atmosphere along Fulton with a 30% glazed surface means a larger than required dining area.

### Advantages:

This restaurant will be located directly across from a Metro Rail Station. The Station will be across from the front door of the restaurant. This area will be a pedestrian atmosphere. Included, will also be a bicycle rack at the Restaurant Entrance Patio. Dairyland expects its walk up business to increase. It does not expect its drive and stop business to increase. Dairyland will also continue to provide Drive-Through Sales lanes, both from McEwen and Fulton. Currently, since employees are drawn from the neighborhood, they either walk or are dropped off. The current design being proposed is 3,528 SF with 14 parking spaces. An entrance Patio with Bicycle Storage is 512 SF, less than 15% of the total square footage of the building. The owners of Dairyland ask you to consider this restaurant to be of a pedestrian nature more than a commuter nature.

### **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](mailto:planning.variances@cityofhouston.net).*

**(1) The imposition of the terms, rules, conditions, policies and standards of this article would deprive the owner or applicant of the property of reasonable use of the land or building;**

In order to maintain the standard requirement of parking spaces, considering the loss of the existing 75'-0" driveway along McEwen, only 18 parking spaces can be placed on the property which limits the building to 2,250 SF. This is hardly an improvement over the existing 2,108 SF building. Mr. Moebasheri could not hope to improve his business in order to pay for the improvements imposed upon him by Metro and the City of Houston. It would not be worth the cost of rebuilding to stay and, thus, would be a loss to the neighborhood. The current design, as shown on the attached site plan, is of a building 3,528 SF to serve the pedestrian community.

**(2) That the circumstances supporting the granting of the variance are not the result of a hardship imposed or created by the applicant and that in granting the variance the general purposes of this article are being observed and maintained;**

The hardship is placed upon Dairyland by Metrorail. Indeed, the very construction is blocking 50% of their business at this moment. This hardship is being placed upon them at a time in their lives when they would rather relax and ride on the laurels of years invested into this business, rather than be forced to fight through the construction of a new building.

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

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# OFF-STREET PARKING VARIANCE



It is our intent to preserve Article 26 pertaining to parking for restaurants and handicap access, as well as pedestrian access.

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

More than half of the customers that enter Dairyland or pedestrian or use the Drive-Through portion of the Restaurant. Employees, being hired from the neighborhood, usually walk to work, ride a bicycle, or are dropped off. Most importantly, the Metro Rail Station will be located across from the front door of this restaurant and can provide a comfortable place to stop and eat after work, or pick up something for home.

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

This design firm can see no public injury that could occur by reducing the number of parking spaces by half for a restaurant that is mostly visited by pedestrians or Drive-Through customers. Drive-Through customers enter at one end of the building and pedestrians at the opposite end or side. Any injuries that could happen while crossing from Metro Rail to the restaurant would not be from reducing the parking spaces required.

**(6) For a development that is subject to the requirements of article VII, chapter 33, of this Code, the granting of the variance is necessary to accomplish the purposes of a certificate of appropriateness issued pursuant to article VII, chapter 33, of this Code.**

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# OFF-STREET PARKING VARIANCE



## STANDARDS FOR VARIANCES

(a) The commission is authorized to consider and grant variances from the provisions of this article by majority vote of those members present and voting, when the commission determines that the first five of the following conditions exist, and if applicable, the sixth condition, exists:

- (1) The imposition of the terms, rules, conditions, policies and standards of this article would deprive the owner or applicant of the property of reasonable use of the land or building;
- (2) That the circumstances supporting the granting of the variance are not the result of a hardship imposed or created by the applicant and that in granting the variance the general purposes of this article are being observed and maintained;
- (3) The intent of this article is preserved;
- (4) The parking provided will be sufficient to serve the use for which it is intended;
- (5) The granting of such a variance will not be injurious to the public health, safety or welfare; and
- (6) For a development that is subject to the requirements of article VII, chapter 33, of this Code, the granting of the variance is necessary to accomplish the purposes of a certificate of appropriateness issued pursuant to article VII, chapter 33, of this Code.

(b) In addition, if the variance involves an off-site parking facility, the commission must determine that a proposed off-site parking facility will be located so that it will adequately serve the use for which it is intended. In making this determination, the following factors, among other things, shall be considered:

- (1) The location of the proposed building and the proposed off-site parking facility.
- (2) Existing and potential parking demand created by other occupancies in the vicinity.
- (3) The characteristics of the occupancy, including employee and customer parking demand, hours of operation, and projected convenience and frequency of use of the off-site parking.
- (4) Adequacy, convenience, and safety of pedestrian access between off-site parking and the occupancy.
- (5) Traffic patterns on adjacent streets, and proposed access to the off-site parking.
- (6) The report and recommendation of the director and the traffic engineer.

Any variance granted under the provisions of this section will apply only to the specific property and use upon which the commission was requested to grant a variance by the applicant and shall not constitute a change of this article or any part hereof. All variances as granted shall be in writing shall be signed by the secretary of the commission and maintained as a permanent record of the commission.

## OFF-STREET PARKING VARIANCE

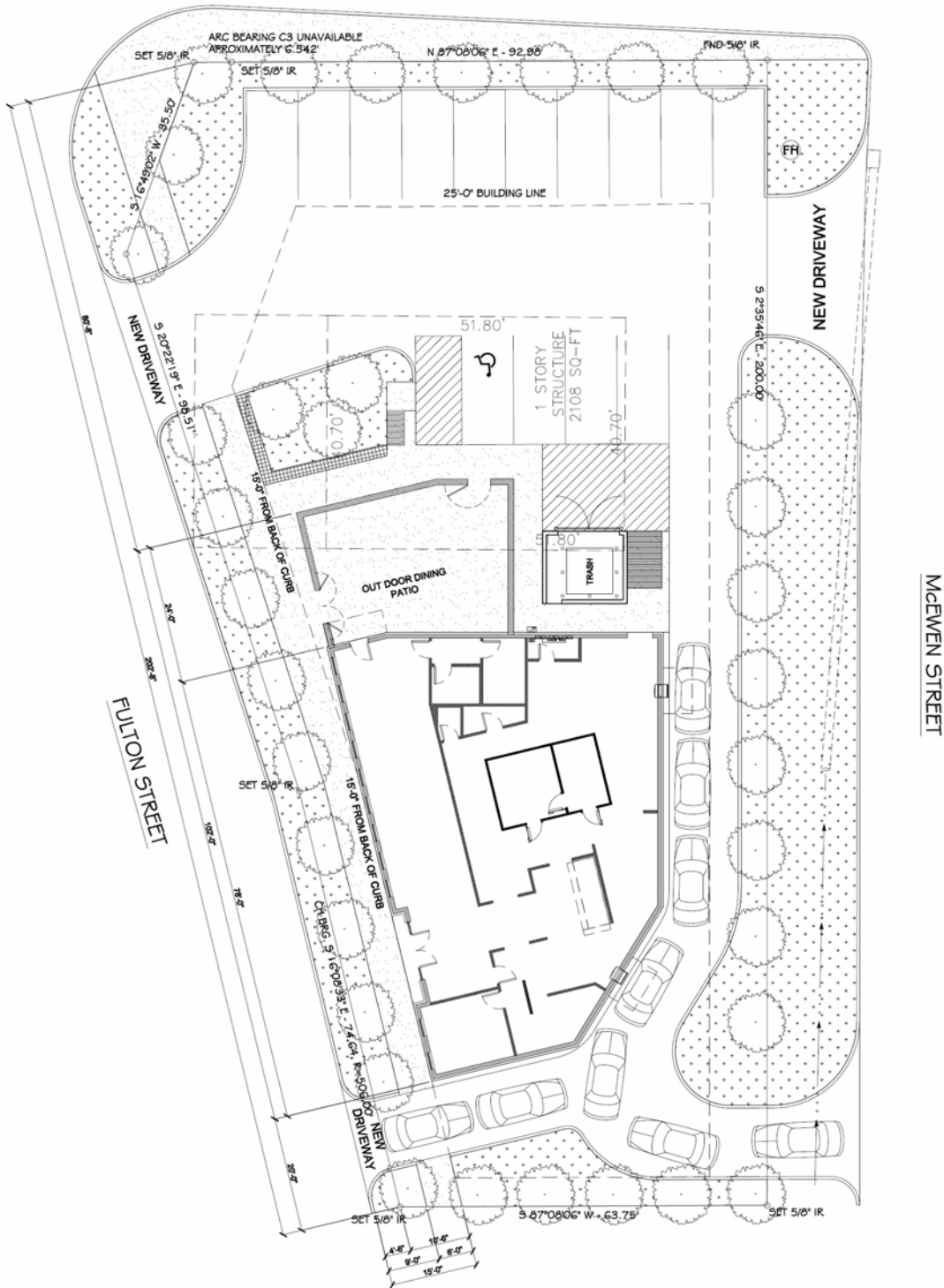


**SITE PLAN**



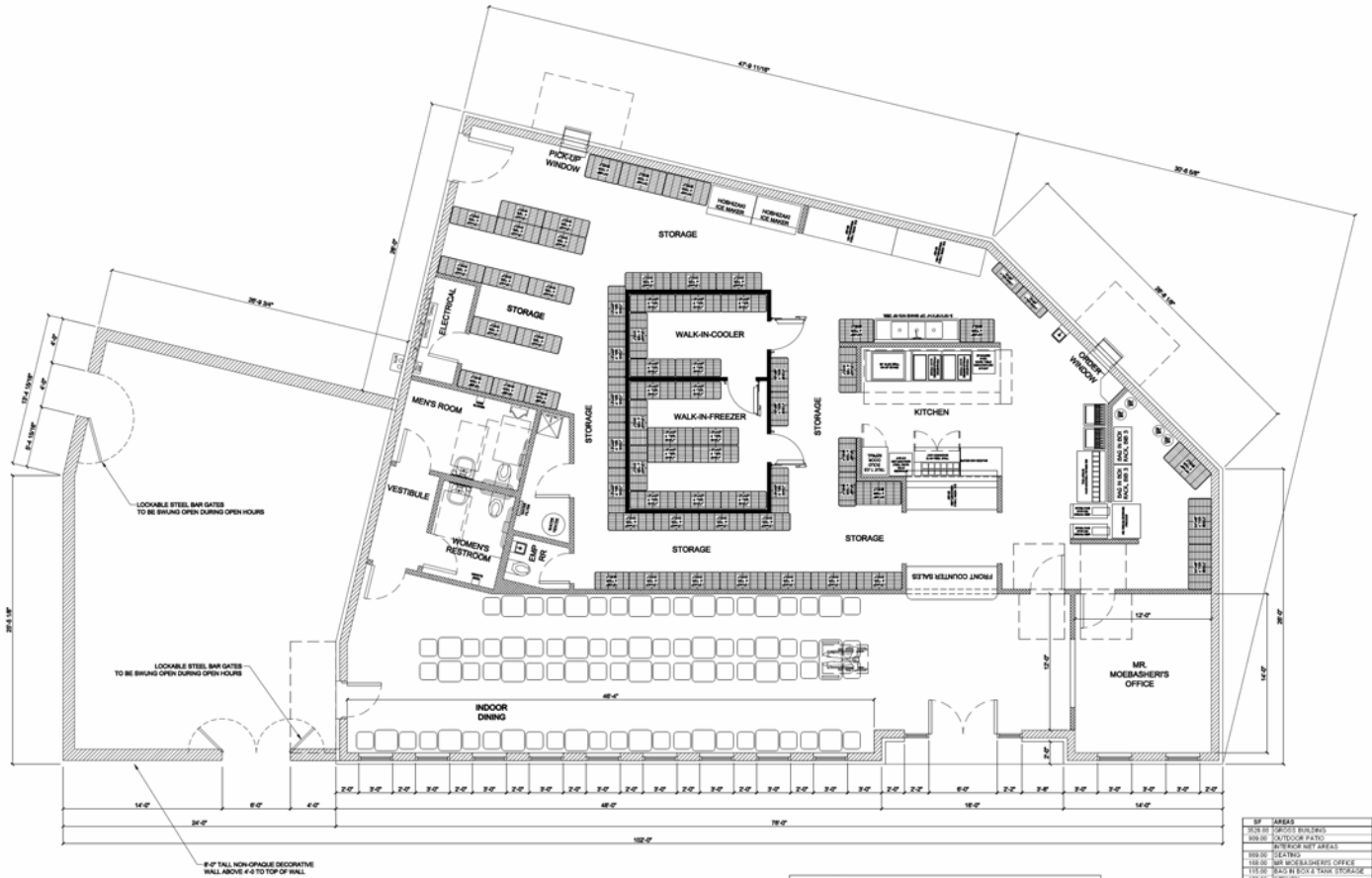
**OFF-STREET PARKING VARIANCE**

CAVALCADE STREET



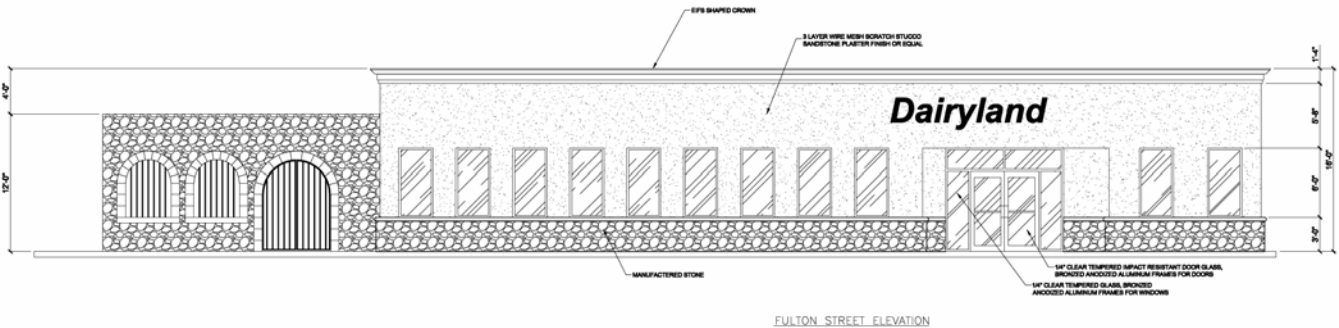
**OFF-STREET PARKING VARIANCE**



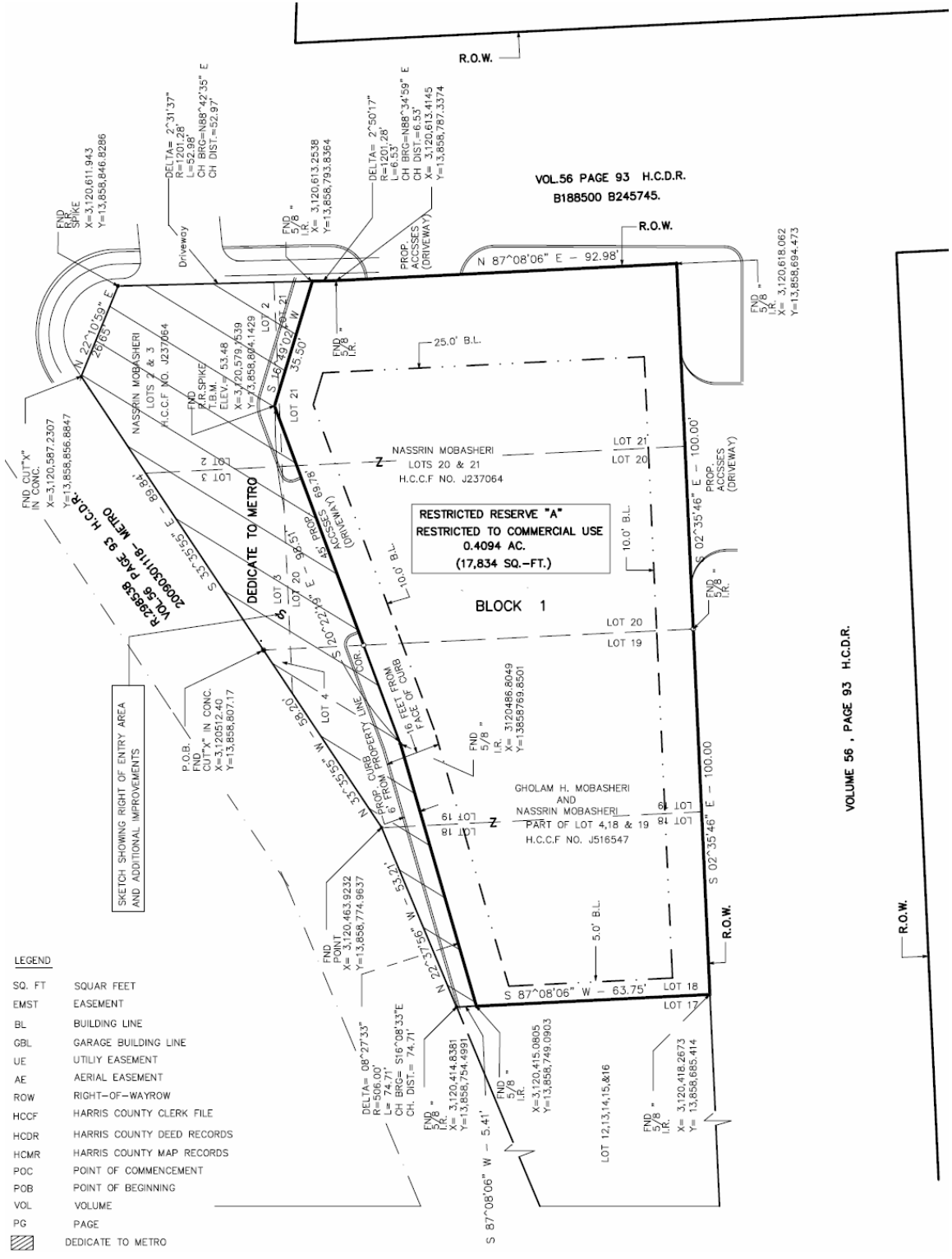


**GLASS AREAS:**  
 BUILDING LENGTH: 102'-0"  
 102' x 8'-0 (HT) 3 = 816 SF x 30% = 244.8 SF OF TRANSPARENT AREA REQUIRED.  
 1 GLASS DOUBLE 3'-0" DOOR WITH TRANSOM: 10'-4" FT x 9' FT = 93 SF  
 1 GATED OPENING: 44 SF  
 12 WINDOWS 3 FT x 8 FT = 216 SF  
 93 SF + 44 SF + 216 SF = 353 SF (108 SF OVER REQUIREMENT)

SF AREAS	
353.00	TARGET BUILDING
200.00	OUTDOOR PARKING
	INTERIOR NET AREAS
188.00	ELECTRICAL
118.00	MR. MOEBASHER'S OFFICE
170.00	BACK ROOM & TANK STORAGE
	KITCHEN
40.00	CORNER 10' DIA. W.C. ROOM
238.00	PANTRY / COLD-DRAWER W/COOLERS
250.00	WALK-IN COOLER/FREEZER
210.00	STORAGE
41.00	PICK UP WINDOW/REAR DOOR
41.00	VESTIBULE
20.00	EMPLOYEE RESTROOM
100.00	ELECTRICAL
180.00	PUBLIC RESTROOM/VESTIBULE



# OFF-STREET PARKING VARIANCE



SKETCH SHOWING RIGHT OF ENTRY AREA AND ADDITIONAL IMPROVEMENTS

**LEGEND**

□	SQ. FT	SQUAR FEET
-	EMST	EASEMENT
—	BL	BUILDING LINE
—	GBL	GARAGE BUILDING LINE
—	UE	UTILITY EASEMENT
—	AE	AERIAL EASEMENT
—	ROW	RIGHT-OF-WAYROW
—	HCCF	HARRIS COUNTY CLERK FILE
—	HCDR	HARRIS COUNTY DEED RECORDS
—	HCMR	HARRIS COUNTY MAP RECORDS
—	POC	POINT OF COMMENCEMENT
—	POB	POINT OF BEGINNING
—	VOL	VOLUME
—	PG	PAGE
▨	PG	DEDICATE TO METRO

## OFF-STREET PARKING VARIANCE



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# **OFF-STREET PARKING VARIANCE**

## 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@cityofhouston.net](mailto:planning.variances@cityofhouston.net) prior to 11:00am on the submittal dates adopted by the Houston Planning Commission. For complete submittal requirements, please visit the City of Houston Planning & Development Department website at [www.houstonplanning.com](http://www.houstonplanning.com).

APPLICANT COMPANY	CONTACT PERSON	PHONE NUMBER	EMAIL ADDRESS
TBG/ VERNON HENRY	Mary Lou Henry, FAICP	(713)439-0027	marylou.henry@tbg-inc.com

PROPERTY ADDRESS	ZIP CODE	LAMBERT	KEY MAP	COUNCIL DISTRICT
1203 Westheimer	77006	5356	493S	District D

<b>HCAD ACCOUNT NUMBER(S):</b>	026174000001, 026174006,
<b>PROPERTY LEGAL DESCRIPTION:</b>	Lots 1-7,9 and parts of Lots 8,10,11 and Tr14 Bock 48 Montrose Addition
<b>PROPERTY OWNER OF RECORD:</b>	KNA Partners
<b>ACREAGE (SQUARE FEET):</b>	76,082 SF
<b>WIDTH OF RIGHTS-OF-WAY:</b>	Westheimer (70’); Yoakum (90’); Lovett (varies); Mt. Vernon (60)
<b>EXISTING PAVING SECTION(S):</b>	Westheimer (46.5’); Yoakum (52.2’); Lovett (varies); Mt. Vernon (39.7’)
<b>OFF-STREET PARKING REQUIREMENT:</b>	151 spaces
<u>Current Center Building Area</u>	27,551 sq.ft. x 4      110 spaces
Center Building Area with Proposed Addition	29,551 sq.ft. x 4      118 spaces
Restaurant Space with Proposed Addition	14, 222 sq.ft. (48%)
Restaurant Space over 20%(14,222-5910)	8,312 sq.ft.      33 spaces
<b>OFF-STREET PARKING PROVIDED:</b>	113 spaces

<b>EXISTING STRUCTURE(S) [SQ. FT.]:</b>	27,551 SF
<b>PROPOSED STRUCTURE(S) [SQ. FT.]:</b>	29,551 SF (balcony of 2,000 SF to be added)

**PURPOSE OF VARIANCE REQUEST:** The purpose of the variance request is to allow a shopping center with approximately 48% of its gross floor area being comprised of restaurant use to meeting its off-street parking requirements by providing 113 spaces instead of the 151 spaces required by ordinance.

# OFF-STREET PARKING VARIANCE

**CHAPTER 26 REFERENCE(S):**

Sec. 26-492. Parking spaces for certain types of occupancies

Retail Center ( 25,001 sf – 100,000 ) 4.0 spaces per 1000 sq. ft. plus increment 2

2. If more than 20 per cent of the shopping center is occupied or to be occupied by class 6 and/or 7 Occupancies, then the incremental increase in the number of off-street parking spaces required per 1,000 square feet of GFA will be calculated using the number assigned for the specific occupancy proposed for the new construction or alteration.

Restaurant (including outdoor decks, patio and/or seating areas): 8 spaces for every 1,000 sq.ft. of GFA and outdoor decks, patios and/or seating areas in excess of 15% of gross floor area

Sec. 26-498. Off-Site parking

(a).....no site plan or building permit shall be approved by the department unless at least 75 % of the parking facilities required by this article are located on the site for which the permit is sought.....

**APPLICANT STATEMENT OF FACTS**

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

To allow a portion of the 1935 theater to be converted to a restaurant and to add a balcony of 2,000sf., which will require additional parking; to satisfy the requirement for additional parking off-site in a combination of 1) indented on-street parking built for that purpose on Yoakum; 2) a parking lot more than 250' away, across Mt. Vernon, on excess City right-of-way If approved. 25% of the required parking would be off-site in right-of-way.

<b>On-Site parking</b>	113 Spaces
<b>Yoakum Head-In Spaces</b>	34 Spaces*
<b>City Lot</b>	7 Spaces
<b>TOTAL</b>	154 Spaces

\* These spaces also used by patrons of the Center to the east

The Tower Theater Center was built in 1935. Its main tenant was the Tower Movie Theater, whose outstanding, elaborate neon marquee has been a well-loved Montrose area focal point for decades. The movie theater closed when it no longer was viable for single-screen operations but was reincarnated for several years as a dinner theater with live shows. It operated until 1994 (the Parking Ordinance went into effect in 1989). The theater space was converted to a Hollywood Video Store in 1995; the video store closed in 2009 because of the decline in video sales and rentals. The owner of the center is committed to maintaining the marquee and has recently spent approximately \$200,000 on its restoration. The prospective new tenant is a restaurant; that use will make the total

**OFF-STREET PARKING VARIANCE**



area of the center 48% restaurant, making the parking required exceed the 113 spaces on-site. However, when the center was originally developed, indented parking was permissible and was constructed on both sides of Yoakum. These 34 spaces have historically been used by patrons this center.

In addition, there is a 7 car lot on the block to the west on surplus land left-over from right-of-way acquisition when the City extended Commonwealth through to Lovett Blvd. This lot continues to be available to the local businesses, including the Tower Theater Center..

There is additional on-street parking in the area and it is not located in front of single-family homes. On-street parking was traditionally used for any over-flow parking for the theater.

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**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](mailto:planning.variances@cityofhouston.net).*

**(1) The imposition of the terms, rules, conditions, policies and standards of this article would deprive the owner or applicant of the property of reasonable use of the land or building;**

This center was constructed in 1935 and occupies most of the block in a popular inner-city neighborhood. The movie theater was the original prime tenant; however, the movie theater business has changed substantially over the last several decades, making this theater obsolete. Adaptive reuse has been necessary in order to keep the building viable. The latest use, a video store, became obsolete because of changing technology. The new use proposed requires an increase in parking beyond what can be accommodated on site. Land in the immediate area is not available for conversion to parking exclusively for this center. Indented parking within the street right-of-way was constructed for this center in an earlier era when this type of on-street parking was allowed.

**(2) That the circumstances supporting the granting of the variance are not the result of a hardship imposed or created by the applicant and that in granting the variance the general purposes of this article are being observed and maintained;**

The center was constructed in 1935 and the City Ordinance requiring off-street parking went into effect 54 years later. During the six decades that most of the center operated as a theater of one sort another, there was ample parking in the area; there will continue to be sufficient parking if this use is approved.

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

The intent of the article is to insure that a particular land use has sufficient parking to meet the needs of that use. Because of the parking within the right-of-way, including the 7 car lot in the excess right of way and the head-in spaces on Yoakum there will be sufficient parking for the proposed new restaurant.

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

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# OFF-STREET PARKING VARIANCE

# Houston Planning Commission

City of Houston Planning and Development Department



**ITEM: IV**

Meeting Date: 09/16/2010

The parking being provided meets the current requirements of Chapter 26.

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

The public welfare is protected by the preservation and adaptive reuse of old buildings, particularly those that have captured the public interest with unique features. Such efforts conserve natural resources, promote sustainable development, and provide a tie to our heritage. It is likely that the proposed use will require less parking than the original use; available parking in the area will meet the demand without adversely affecting the public health, safety, or welfare.

**(6) For a development that is subject to the requirements of article VII, chapter 33, of this Code, the granting of the variance is necessary to accomplish the purposes of a certificate of appropriateness issued pursuant to article VII, chapter 33, of this Code.**

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## OFF-STREET PARKING VARIANCE



## STANDARDS FOR VARIANCES

(a) The commission is authorized to consider and grant variances from the provisions of this article by majority vote of those members present and voting, when the commission determines that the first five of the following conditions exist, and if applicable, the sixth condition, exists:

- (1) The imposition of the terms, rules, conditions, policies and standards of this article would deprive the owner or applicant of the property of reasonable use of the land or building;
- (2) That the circumstances supporting the granting of the variance are not the result of a hardship imposed or created by the applicant and that in granting the variance the general purposes of this article are being observed and maintained;
- (3) The intent of this article is preserved;
- (4) The parking provided will be sufficient to serve the use for which it is intended;
- (5) The granting of such a variance will not be injurious to the public health, safety or welfare; and
- (6) For a development that is subject to the requirements of article VII, chapter 33, of this Code, the granting of the variance is necessary to accomplish the purposes of a certificate of appropriateness issued pursuant to article VII, chapter 33, of this Code.

(b) In addition, if the variance involves an off-site parking facility, the commission must determine that a proposed off-site parking facility will be located so that it will adequately serve the use for which it is intended. In making this determination, the following factors, among other things, shall be considered:

- (1) The location of the proposed building and the proposed off-site parking facility.
- (2) Existing and potential parking demand created by other occupancies in the vicinity.
- (3) The characteristics of the occupancy, including employee and customer parking demand, hours of operation, and projected convenience and frequency of use of the off-site parking.
- (4) Adequacy, convenience, and safety of pedestrian access between off-site parking and the occupancy.
- (5) Traffic patterns on adjacent streets, and proposed access to the off-site parking.
- (6) The report and recommendation of the director and the traffic engineer.

Any variance granted under the provisions of this section will apply only to the specific property and use upon which the commission was requested to grant a variance by the applicant and shall not constitute a change of this article or any part hereof. All variances as granted shall be in writing shall be signed by the secretary of the commission and maintained as a permanent record of the commission.

## OFF-STREET PARKING VARIANCE



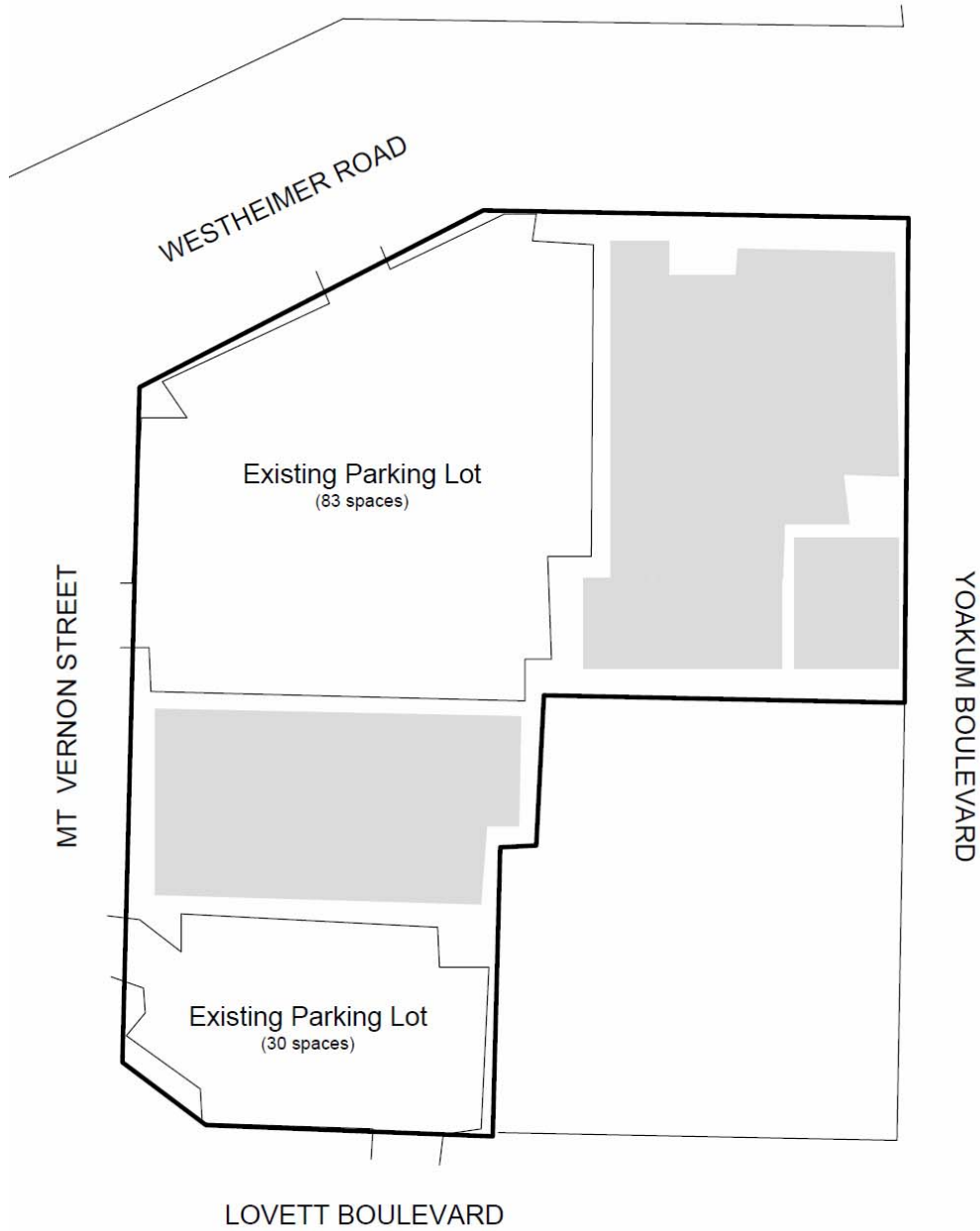


**AREA MAP**



**OFF-STREET PARKING VARIANCE**

**SITE MAP**



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**OFF-STREET PARKING VARIANCE**

# Houston Planning Commission

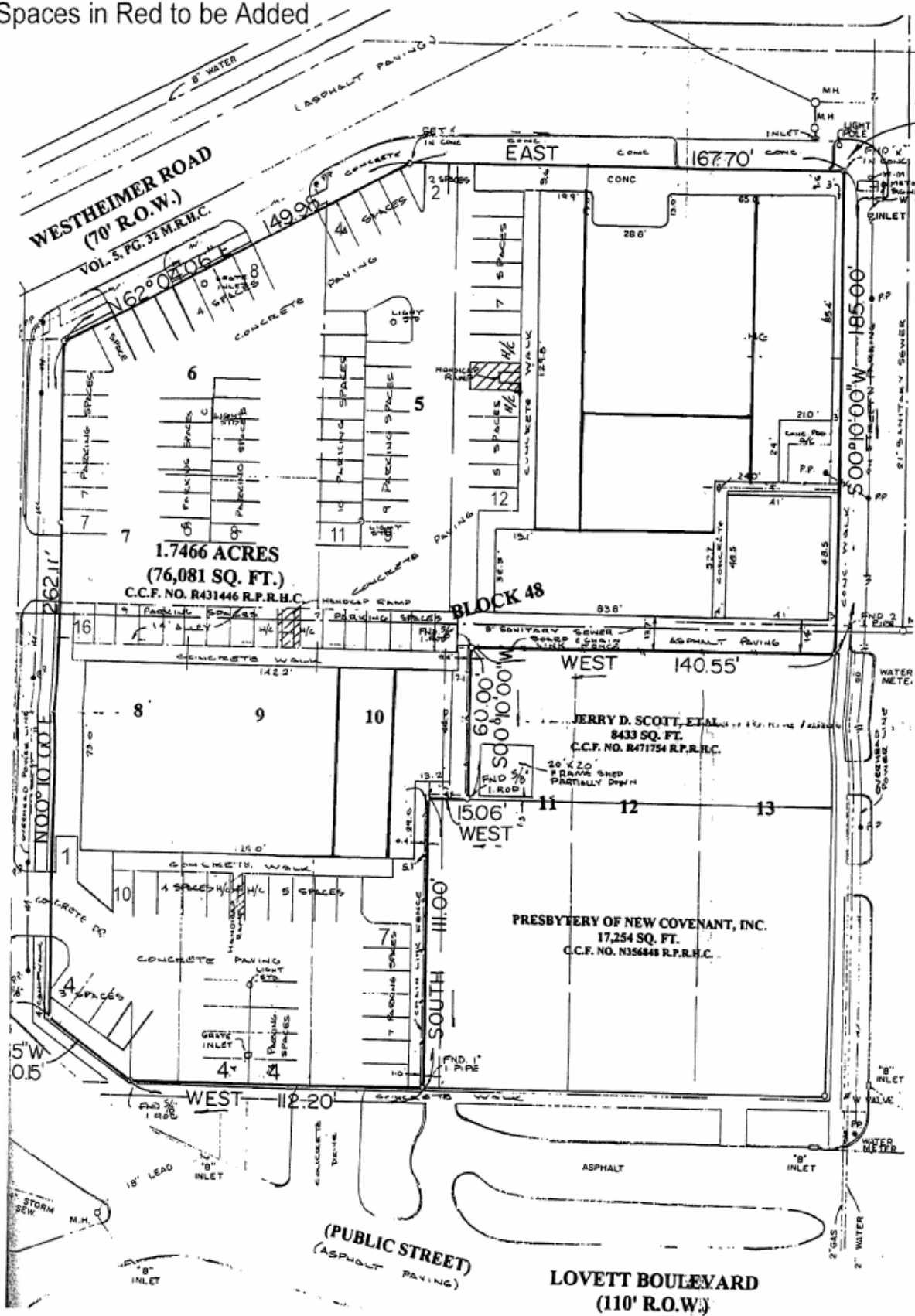
City of Houston Planning and Development Department



**ITEM: IV**

Meeting Date: 09/16/2010

Spaces in Red to be Added



**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@cityofhouston.net](mailto:planning.variances@cityofhouston.net) prior to 11:00am on the submittal dates adopted by the Houston Planning Commission. For complete submittal requirements, please visit the City of Houston Planning & Development Department website at [www.houstonplanning.com](http://www.houstonplanning.com).

APPLICANT COMPANY	CONTACT PERSON	PHONE NUMBER	EMAIL ADDRESS	
Carnegie Vanguard High School Building Committee	Peggy Sue Gay	713-953-9045	peggysuegay@gmail.com	
PROPERTY ADDRESS	ZIP CODE	LAMBERT	KEY MAP	COUNCIL DISTRICT
1101 Taft Street	7019	5357	493P	D

<b>HCAD ACCOUNT NUMBER(S):</b>	1316860010001
<b>PROPERTY LEGAL DESCRIPTION:</b>	RES A BLK 1 Gregory Lincoln/HSPVA
<b>PROPERTY OWNER OF RECORD:</b>	Houston ISD
<b>ACREAGE (SQUARE FEET):</b>	New school facility to occupy approximately southern half of a 15.71 acre subdivided parcel
<b>WIDTH OF RIGHTS-OF-WAY:</b>	Taft Street (80’); West Gray varies from (60’) to (70’); Genesee Street varies from (60’) to (70’), not less than (60’)
<b>EXISTING PAVING SECTION(S):</b>	Taft and West Gray Streets – existing concrete curb and gutter; Genesee - asphalt
<b>OFF-STREET PARKING REQUIREMENT:</b>	9.5 parking spaces per thirty-person classroom / 313.5
<b>OFF-STREET PARKING PROVIDED:</b>	7 (6.939) parking spaces per twenty-two person classroom or 229.
<b>LANDSCAPING REQUIREMENTS:</b>	Required to comply at site plan review

<b>EXISTING STRUCTURE(S) [SQ. FT.]:</b>	1) An existing HISD K-8 school consisting of 94,269 sq. ft. building located just north of proposed building; 2)An existing 1938 Art Deco building consisting of 9,800 sq. ft. +/- building to be incorporated into proposed high school as an arts center.
<b>PROPOSED STRUCTURE(S) [SQ. FT.]:</b>	<b>Approximately 88,000 sq. ft. new 2 story structure</b>

**OFF-STREET PARKING VARIANCE**



**PURPOSE OF VARIANCE REQUEST:** The purpose of the variance request is to reduce the requirement for senior high school parking space provided for in Sec. 26-492, Class 5.c.3 from 9.5 spaces per thirty person classroom to 7 (6.939) parking spaces per twenty-two person classroom for this proposed unique school.

**CHAPTER 26 REFERENCE(S):** Sec. 26-492 Parking Spaces for certain types of occupancies.

Except for buildings located in a parking management area created under the provisions of section 26-500 of this code, the construction of a building for any of the following types of occupancies shall provide the requisite number of off-street parking spaces, or the incremental number of off-street parking spaces in the case of an alteration, as shown below for that type of occupancy. The requirements of this division do not apply to the placement of temporary classroom building(s) for public schools where:

- (1) there is a reasonable likelihood that the construction necessitating a temporary classroom building will not continue for more than five years; and
- (2) An analysis of the public school site and the buildings thereon support the conclusion that timely compliance with the statutory student/teacher ratio cannot be achieved without the installation of the temporary classroom building(s).

- Class 5. Religious and Educational
- c. School (Public, denominational or private);
    3. Senior high school  
9.5 spaces per thirty-person classroom

## APPLICANT STATEMENT OF FACTS

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

We seek this variance because, after careful study and historical analysis, we have concluded that applying the current parking regulations at the new Carnegie Vanguard High School ("CVHS") would only serve to improperly deprive the students and faculty, as well as the surrounding neighborhood of much-needed green space on this campus. By providing appropriately sized, yet not excessive parking, we can maximize green space, minimize storm water run-off, and still provide the parking required for this unique school.

The current parking regulations require 9.5 parking spaces for each high school classroom based on a 30 student classroom. These regulations were designed for comprehensive high schools, rather than a unique magnet high school like CVHS. CVHS is the only "Vanguard" high school in HISD. Vanguard is HISD's term for academically gifted and talented students. During the design process for the new school, we found this facility will not only be unique in Houston, but we have been unable to find any precedent in the United States for the construction of a public high school specifically for the education of gifted and talented students. CVHS will be built in this central location adjacent to downtown to accommodate 600 students from all over Houston, who have chosen to focus on academic rigor in their high school education. CVHS does not draw from any one neighborhood within Houston, but from all neighborhoods. It is a magnet school in every sense of the word and will now be perfectly located to accommodate its unique population. Any student living within HISD, who qualifies as gifted and talented based on a matrix composed of test scores and grades, can be accepted at CVHS. Not all students qualify and not all students wish to attend. Although CVHS boasts two UIL sports (volleyball and baseball) and has club tennis, soccer and

# OFF-STREET PARKING VARIANCE



cross country (and we hope to expand our small theater program and add a music class or two), this is not a comprehensive high school offering the many extracurricular opportunities of a Bellaire, Lamar or Westside. CVHS is being built for 600 students – not for 3,425, 3,000 or 2,945 respectively. We do not draw from a large pool for our athletic or artistic endeavors, and although we must compete at the Texas 5A UIL level due to our ability to draw from the entire HISD population, we are rarely truly competitive at that level. This focus on academic rigor and small size is intentional in order to create a unique learning environment for a special type of student. So, as concerned parents, we decided to work with the administration and faculty of CVHS and our architects to study the matter carefully and ascertain whether the level of parking required of a comprehensive HISD high school (9.5 parking spaces x 33 classrooms = 313.5 parking spaces required) was truly necessary for this unique facility.

Our research determined that the demonstrated needs of the school population and building utilization justified a variance request for a number of reasons.

First. The current regulation requires 9.5 parking spaces per 30 student classroom. CVHS does not have even one class of 30 students. Classes at CVHS are generally 22 or fewer students. (See Attachment No. 1) Many specialty classes draw far fewer – courses such as Latin V (6), AP Calculus BC (11), and AP European History (4). So, based on our small class sizes, we do not require as many parking spaces as the current regulations require for what would be a standard comprehensive high school. Our classroom size averages 73% of the classroom size (22 = 73% of 30) that underlies these parking regulations. And our proposal is to decrease the number of required parking spaces similarly to 73% of what would be required under the present regulations 229 = 73% of 313.5).

Second, CVHS had a population of 427 students and 40 faculty and staff during the most recent school year (2009-10). The current campus contains 104 parking spaces with no off site parking, which served this population well. The new campus will result in a 40% increase in student population, (427 to 600 students), while the current regulations would require a 200% increase in parking spaces (104 to 314 parking spaces). Instead, we propose a 120% increase in parking spaces which would more than double our existing parking space count to accommodate less than 40% more students (doubling the existing inventory would be 208 – we propose 229 spaces be required).

Third. As an academically challenging magnet school, CVHS suffers a high attrition rate after the freshman year. Over the last seven (7) years an average of approximately forty per cent (40%) of our freshman class transfers from CVHS at the end of freshman year. (See Attachment 2) Due to this high rate of attrition, we recruit and enlist an overly large freshman class. This disproportionately large size class increases our student count overall – but is not a reflection of driving age students that would be found in a comprehensive school, the type school upon which the parking requirements were based. Although some thought was surely given in calculating the 9.5 parking space formula, that freshmen are not of driving age and would not require parking spaces, CVHS is unique in that a much larger percentage of the total population make up the freshman class than would a comprehensive high school. In a comprehensive neighborhood high school a student is not exited nor do they choose to leave the school due to a challenging freshman year. Their class load and rigor can usually be rearranged to accommodate their abilities in a large multi-level comprehensive facility. CVHS has one academic track with no “step down” and therefore the class size decreases dramatically from freshman to sophomore year and beyond.

Fourth. Magnet school students, unlike comprehensive high schools, are provided HISD bus transportation to and from school. Fully 77% of CVHS students during the 2009-10 school year utilized HISD school busing. Based on a school questionnaire completed by parents (See Attachment 3), this will not change at the new facility. It is possible that as the new more, central location will all but guarantee shorter bus rides, there may be an increase in bus ridership.

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# OFF-STREET PARKING VARIANCE

Fifth. Due to the fact CVHS is a magnet school, with no neighborhood or other designated population it is required to draw from, the student population can be capped at 600, the number for which the new facility is being designed. The school will not face incremental population increases that might be a matter of concern for a comprehensive high school. Instead, the facility will maintain the number of students for which it was originally planned and thus not require additional parking spaces in the future.

Other facts to consider:

- 1) Our current location at Hwy 288 and Airport Road does not allow Metro Bus to be a plausible alternative method of transportation for students or staff. Our new location at West Gray and Taft, just outside downtown, makes Metro a much more viable solution to both student and staff commuting plans.
- 2) Our neighbor to the north is HISD's Gregory Lincoln. This is a K-8 school which is currently legally parked for its site at 82 parking spaces. Gregory Lincoln's parking area includes an overflow parking lot of 24 spaces which they utilize only two evenings per year for parent gatherings. (See Attachment 4 – this lot is identified as the "swing lot") This underutilized parking lot will be immediately adjacent to CVHS's newly created parking area and will be available to us in addition to our requested 229 space requirement during the school day. The entire Gregory Lincoln parking areas will be available to us (with prior arrangement) for any after school and weekend special events at our campus and vice versa.
- 3) We have been busy engaging our new local community. As members of HGAC's Fourth Ward Livable Centers Park and Open Space Committee, we have been meeting and working with our Fourth Ward neighbors. They have requested a walkway through our parking area so they may access Taft Street to the west and our design has provided for that. There have also been requests from Fourth Ward residents, the North Montrose Neighborhood Association and the Neartown Association for less asphalt and more green, to the degree possible. A nearby church has also approached us requesting use of our parking areas on Sunday.
- 4) We have met with Councilwoman Adams and State Representative Coleman to discuss our plans and parking variance request, and both have expressed support of our request.

We have done our best to reach out to all affected parties to determine that our parking variance request will accommodate the needs of our students and staff as well as the surrounding community. The 9.5 spaces per thirty-person classroom requirement was put into effect to set a standard for a comprehensive Houston senior high school. CVHS is not standard and it is not a comprehensive high school. CVHS is unique in not only HISD, but also in Houston, the United States and perhaps the world. The academic rigor allows and requires lower student classroom size averaging 22 versus the 30 contemplated in the parking regulation; the school is less than doubling in size and should not be required to more than triple its parking and diminish the small green areas the school can offer its students and the neighborhood; our high rate of attrition in the freshman year disproportionately represents the student body size to students eligible to drive; as a magnet school all students are afforded school bus service to and from school; and the size of the school can be controlled by the school, rather than outside forces such as neighborhood population fluctuations.

We request that a parking variance be granted allowing CVHS to provide just less than 7 parking spaces per twenty-two person classroom, or 229 parking spaces.

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# OFF-STREET PARKING VARIANCE



**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](mailto:planning.variances@cityofhouston.net).*

**(1) The imposition of the terms, rules, conditions, policies and standards of this article would deprive the owner or applicant of the property of reasonable use of the land or building;**

Requiring CVHS to place 313.5 parking spaces on a less than 7 acre site to accommodate 600 students and attendant staff, when the current school sits on a 7 acre site that accommodates 427 students and attendant staff with 104 parking spaces not only overburdens the land in terms of storm water run off, but also deprives both the students and the neighborhood of much-needed green space in this urban environment.

**(2) That the circumstances supporting the granting of the variance are not the result of a hardship imposed or created by the applicant and that in granting the variance the general purposes of this article are being observed and maintained;**

This regulation was created with broad strokes to accommodate a city with a population of over 2 million and the seventh largest school district in the nation serving 312 square miles with 288 schools, 13,000 teachers and more than 210,000 students. There are 31 senior high schools in HISD and except for one (North Houston Early Challenge) we are currently the smallest senior high school by population. In our expanded facility we will only surpass 1 additional high school in HISD (Kashmere). The balance of the senior high schools for the most part accommodates populations in the thousands rather than the hundreds. It was for these larger neighborhood comprehensive high schools that the current regulation was written. Parking for a smaller single purpose high school such as CVHS should still be regulated, but with a more focused eye on the specific criteria of the school and its parking needs. The variance requested maintains and observes the purpose of the article, by realistically aligning the student classroom population with the actual school size.

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

The intent of Chapter 26- 492. Class 5.c.3 is to provide sufficient off-street parking for the use. The 7 parking spaces per twenty-two person classroom, or 229 parking spaces, is more than sufficient to accomplish this intent.

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

Based on the facts that CVHS at its current location has 104 parking spaces for 427 students and the student body at the new facility will increase to 600, and we are requesting approval for 229 parking spaces, which more than doubles our current capacity, is more than sufficient to accommodate the needs of the new school.

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

The additional parking to the neighborhood has been welcomed. CVHS has already been approached by local churches for potential use of our parking on Sundays. A pedestrian path through the parking area for access to Taft Street by Fourth Ward residents has been requested and is accommodated by the current design. The parking entrances and exits have been designed so as not to improperly affect the high traffic corners at West Gray and West Dallas.

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# OFF-STREET PARKING VARIANCE



# Houston Planning Commission

City of Houston Planning and Development Department



**ITEM: V**

Meeting Date: 09/16/2010

- (6) For a development that is subject to the requirements of article VII, chapter 33, of this Code, the granting of the variance is necessary to accomplish the purposes of a certificate of appropriateness issued pursuant to article VII, chapter 33, of this Code.

NA

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## OFF-STREET PARKING VARIANCE



## STANDARDS FOR VARIANCES

(a) The commission is authorized to consider and grant variances from the provisions of this article by majority vote of those members present and voting, when the commission determines that the first five of the following conditions exist, and if applicable, the sixth condition, exists:

- (1) The imposition of the terms, rules, conditions, policies and standards of this article would deprive the owner or applicant of the property of reasonable use of the land or building;
- (2) That the circumstances supporting the granting of the variance are not the result of a hardship imposed or created by the applicant and that in granting the variance the general purposes of this article are being observed and maintained;
- (3) The intent of this article is preserved;
- (4) The parking provided will be sufficient to serve the use for which it is intended;
- (5) The granting of such a variance will not be injurious to the public health, safety or welfare; and
- (6) For a development that is subject to the requirements of article VII, chapter 33, of this Code, the granting of the variance is necessary to accomplish the purposes of a certificate of appropriateness issued pursuant to article VII, chapter 33, of this Code.

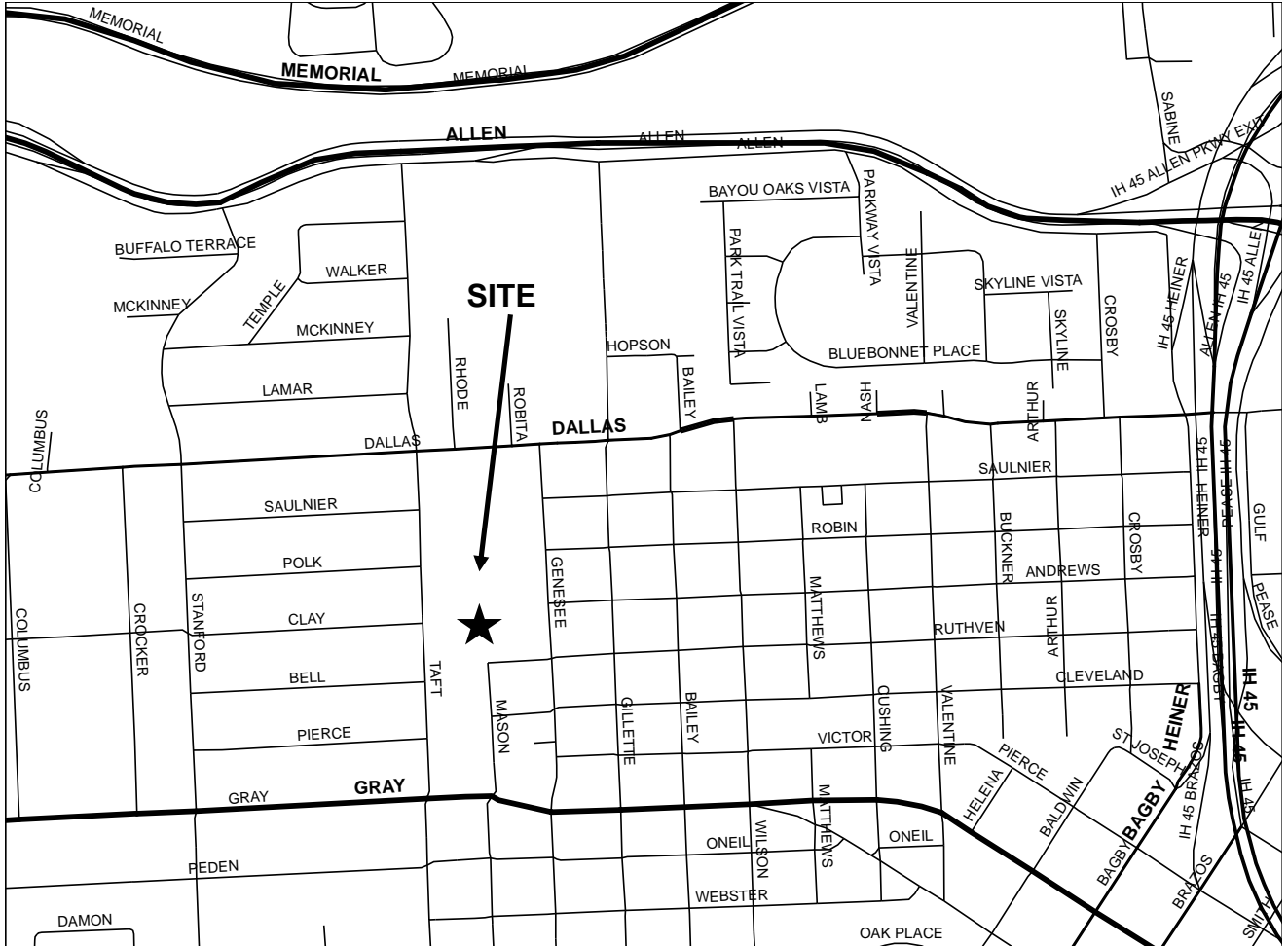
(b) In addition, if the variance involves an off-site parking facility, the commission must determine that a proposed off-site parking facility will be located so that it will adequately serve the use for which it is intended. In making this determination, the following factors, among other things, shall be considered:

- (1) The location of the proposed building and the proposed off-site parking facility.
- (2) Existing and potential parking demand created by other occupancies in the vicinity.
- (3) The characteristics of the occupancy, including employee and customer parking demand, hours of operation, and projected convenience and frequency of use of the off-site parking.
- (4) Adequacy, convenience, and safety of pedestrian access between off-site parking and the occupancy.
- (5) Traffic patterns on adjacent streets, and proposed access to the off-site parking.
- (6) The report and recommendation of the director and the traffic engineer.

Any variance granted under the provisions of this section will apply only to the specific property and use upon which the commission was requested to grant a variance by the applicant and shall not constitute a change of this article or any part hereof. All variances as granted shall be in writing shall be signed by the secretary of the commission and maintained as a permanent record of the commission.

# OFF-STREET PARKING VARIANCE

**AREA MAP**



**OFF-STREET PARKING VARIANCE**



# OFF-STREET PARKING VARIANCE



# OFF-STREET PARKING VARIANCE



### ATTACHMENT 1

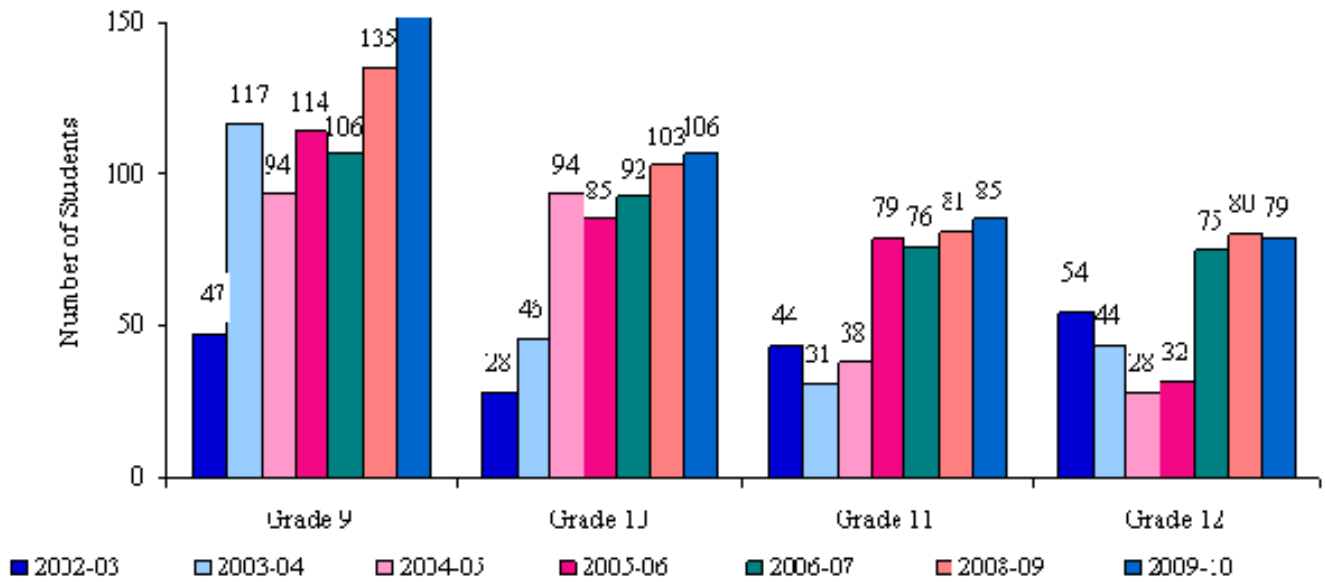
Carnegie Vanguard  
Master Schedule  
Spring '10

Day	8:30	9:30	10:30	11:30	12:00	12:30	1:30	2:30	3:30	4:30	5:30	6:30	7:30	8:30	9:30	10:30	11:30	12:00	12:30	1:30	2:30	3:30	4:30	5:30	6:30	7:30	8:30	
M/Wed	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1
Tues	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1
Wed	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1
Thurs	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1
Fri	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1
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Sun	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1	Eng 2	Eng 3	Eng 1
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# OFF-STREET PARKING VARIANCE

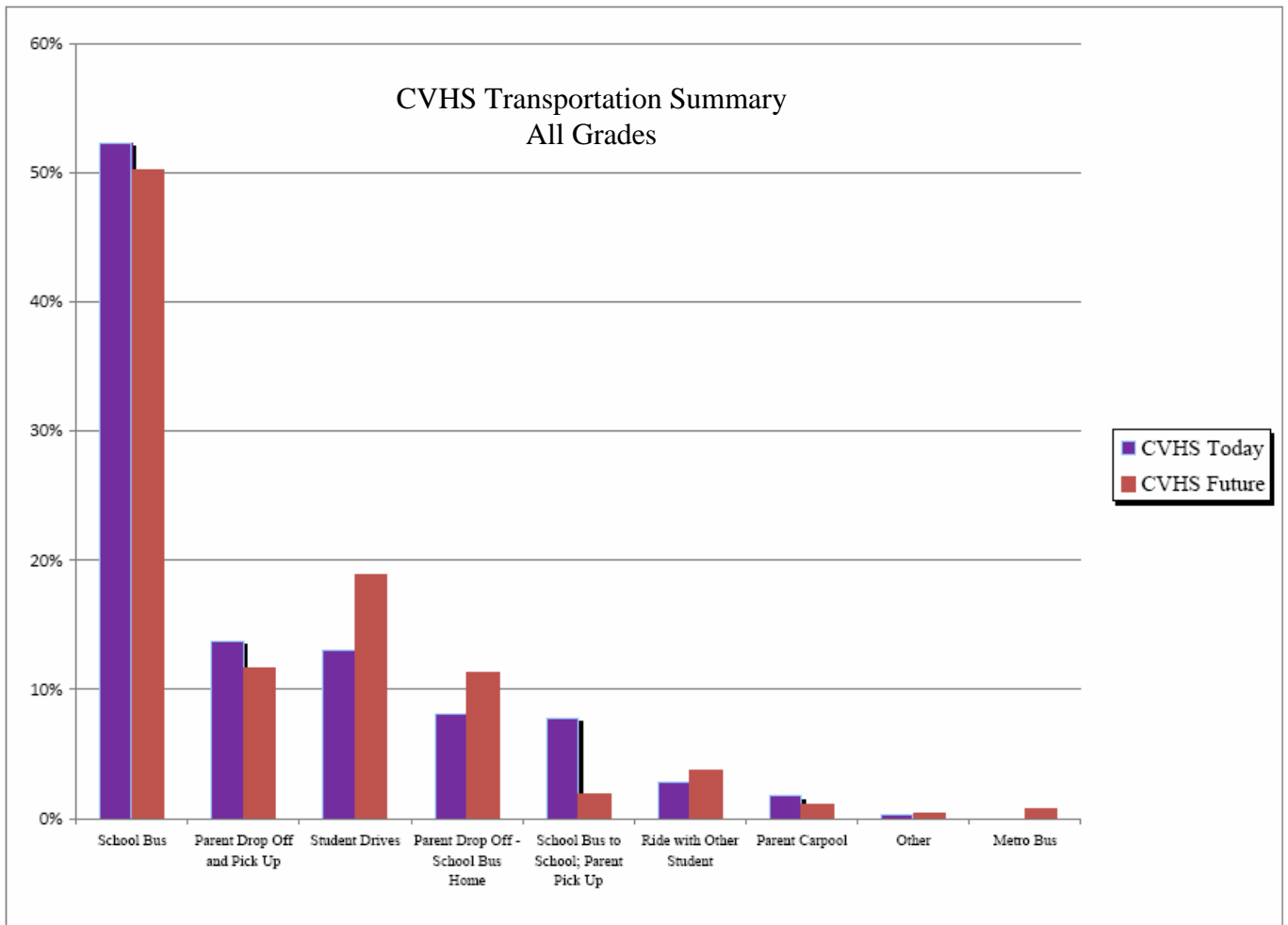
**ATTACHMENT 2**

**Carnegie Vanguard High  
 Student Enrollment by Grade Level  
 2004-05 to 2008-09**



**OFF-STREET PARKING VARIANCE**

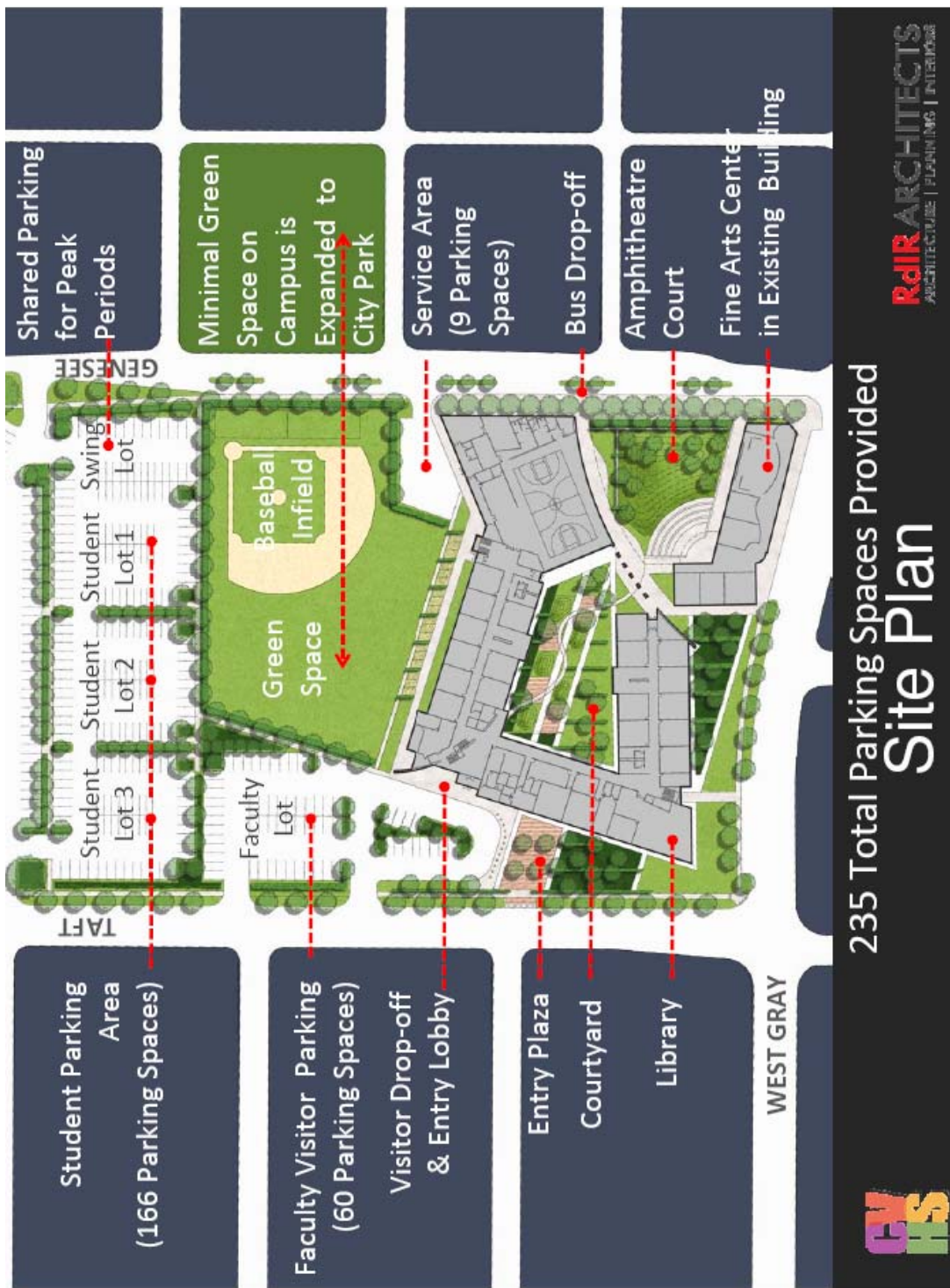
**ATTACHMENT 3**



**OFF-STREET PARKING VARIANCE**



**ATTACHMENT 4**



**235 Total Parking Spaces Provided**  
**Site Plan**

**OFF-STREET PARKING VARIANCE**



## STAFF REPORT

**Staff Recommendation:**

**Basis of Staff Recommendation:**

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**PLANNING COMMISSION ACTION:**

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

**ADDITIONAL FINDINGS BY PLANNING COMMISSION:**

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# OFF-STREET PARKING VARIANCE

**AGENDA ITEM: VI**

**HPO File No. 100820**

**SITE NAME:**

**SITE LOCATION:** 1137 Arlington Street– Houston Heights Historic District East

**Owner:** Donna Buchanan

**Applicant:** Same

Time Frame	Date Accepted	90-day Waiver
	July-26-2010	October-24-2010

**SITE INFORMATION:**

Lot 3, Block 198, Houston Heights Subdivision, City of Houston, Harris County, Texas. The site includes a two-story, single family residence and a one-story, wood frame detached garage.

**TYPE OF APPROVAL REQUESTED:**

The applicant was approved a certificate of appropriateness for a new rear addition at the September 24, 2009 HAHC meeting which called for the use of cement fiber board siding on the rear addition only. Subsequent to the issuance of the C of A, the applicant removed all existing beveled wood siding from the existing historic building and installed new fiber cement siding which was not in the original scope of work nor approved under the previously issued Certificate of Appropriateness. The applicant requests approval of a certificate of appropriateness for the following work which has already been completed and which is covered under the 90 day waiver provision:

- Remove all existing horizontal lap beveled wood siding from all exterior elevations of historic portion of residence and replace with horizontal lap cementitious siding;

**HISTORY AND SIGNIFICANCE:**

At the time of the Houston Heights Historic District East survey, the Folk Victorian house, constructed circa 1910, was classified on the inventory as “contributing.”

The Historic District is contained within the boundaries of Houston Heights, which was designated as a Multiple Resource Area (MRA) on June 22, 1983 by the National Park Service. Houston Heights was designated as a MRA because it was at one time an independent municipality of less than 50,000 inhabitants (1896-1918), a requirement of the designation, and the area also contains a large number of buildings that have been individually listed in the National Register of Historic Places, another requirement. On April 10, 1991 in conjunction with the Houston Heights Centennial Celebration that year, Houston City Council designated the entire Houston Heights Subdivision as Houston Heights Historic District of the City of Houston (Resolution No. 91-15). The resolution proclaimed Houston Heights as “one of the first planned communities in the State of Texas ... the largest intact historic district in the city .... tangible evidence of Houston’s architectural and historical legacy .... an area with great potential for enhancement and revitalization as a point of interest in the city.”. The Texas Historical Commission approved a Recorded Texas Historical Landmark (Subject Marker) for Houston Heights which was dedicated during the Centennial Celebration in 1991. Many other sites and buildings in Houston Heights have been designated as Recorded Texas Historical Landmarks as well. After the passage of the city’s Historic Preservation Ordinance in 1995 by City Council, many buildings have been designated also as City of Houston Landmarks and Protected Landmarks.

**Sec. 33-241. Same-Alteration, rehabilitation, restoration and construction.**

(a) The HAHC shall issue a certificate of appropriateness for the alteration, rehabilitation, restoration or construction of an exterior feature of (I) any landmark, (II) any building, structure or object in an historic district, or (III) any building, structure or object that is part of an archaeological site, upon finding that the application satisfies the following criteria, as applicable:

**CERTIFICATE OF APPROPRIATENESS**

**AGENDA ITEM: VI**

**HPO File No. 100820**

**SITE NAME:**

**SITE LOCATION:** 1137 Arlington Street– Houston Heights Historic District East

S D NA

S - satisfies D - does not satisfy NA - not applicable

- (1) The proposed activity must retain and preserve the historical character of the property;
- (2) The proposed activity must contribute to the continued availability of the property for a contemporary use;
- (3) The proposed activity must recognize the building, structure, object or site as a product of its own time and avoid alterations that seek to create an earlier or later appearance;
- (4) The proposed activity must preserve the distinguishing qualities or character of the building, structure, object or site and its environment;
- (5) The proposed activity must maintain or replicate distinctive stylistic exterior features or examples of skilled craftsmanship that characterize the building, structure, object or site;
- (6) New materials to be used for any exterior feature must be compatible with the materials being replaced in composition, design, texture and other visual qualities; **Cement fiber board siding appears very flat when installed on a building and lacks the visual depth of the historic beveled wood siding which was replaced.**
- (7) The proposed replacement of missing exterior features, if any, should be based on an accurate duplication of features, substantiated by available historical, physical or pictorial evidence, where that evidence is available, rather than on conjectural designs or the availability of different architectural elements from other structures;
- (8) Proposed additions or alterations must be done in a manner that, if removed in the future, would leave unimpaired the essential form and integrity of the building, structure, object or site;
- (9) The proposed design for alterations or construction must not destroy significant historical, architectural or cultural material and must be compatible with the size, scale, material and character of the property and the area in which it is located; **The activity, which has already been completed, has removed all of the historic wood siding from all elevations resulting in a significant loss of historic exterior materials which is the only portion of an historic building that falls under the purview of the HAHC.**
- (10) The setback of any proposed construction or alteration must be compatible with existing setbacks along the blockface and facing blockface(s); and
- (11) The proposed activity will comply with any applicable deed restrictions.

**STAFF RECOMMENDATION:** That the Planning Commission affirm the decision of staff and of the Houston Archaeological and Historical Commission which voted unanimously to deny the Certificate of Appropriateness.

**CERTIFICATE OF APPROPRIATENESS**

**AGENDA ITEM: VI**

HPO File No. 100820

**SITE NAME:**

**SITE LOCATION:** 1137 Arlington Street– Houston Heights Historic District East

**Site Location Map  
Not to scale**



**CERTIFICATE OF APPROPRIATENESS**