

1st - MaryEllen McGlothlin
2nd - Charlie Calderwood

Planning & Zoning Commission Meeting Minutes
City of Spring Valley Village
Tuesday, May 12, 2020

- 1. The Planning & Zoning Commission meeting was called to order by Chair Trey Hoffman at 7:00 p.m. in the Council Chambers of City Hall, 1025 Campbell Road, Houston, Texas.**

Planning & Zoning Members present at City Hall:

Trey Hoffman, Chair
Anne-Marie McMichael
Maryellen McGlothlin
Charlie Calderwood
John Lisenby, Alternate

Planning & Zoning Members present via Zoom:

Patrick Johnson
Amy Winstead
Louise Richman

A quorum was present.

City Officials present at City Hall:

Zach Meadows, Director of Community Development
Loren Smith, City Attorney

City Official via Zoom

Councilmember Marcus Vajdos

- 2. Approval of meeting minutes for regular meeting April 14, 2020**

Ms. McMichael made the motion to approve the minutes. Mr. Calderwood seconded the motion. The motion carried 7 to 0.

Note:

Mr. Hoffman requested to move Items 9 and 10 out of order. He first made sure that the applicant was present. He received unanimous consent from Planning and Zoning Commission members to move the items out of order.

- 9. Conduct a public hearing concerning:** Ordinance Number 2020-XX an ordinance of the City of Spring Valley Village amending Ordinance No. 2015-17, being an ordinance amending Ordinance No. 2014-13, being an ordinance amending Ordinance 2013-22 approving a Planned Area Development ("PAD") of approximately 1.17 acres of land just east of the north east intersection of Katy Freeway and Adkins Road, being out of Lot 17 and Lot 2 of the West Park Subdivision, in the Thomas A. Hoskins Survey, Abstract No. 342, Harris County, Texas within the Freeway Planned Area Development District to allow construction of a three story Professional building over a four level parking structure with one level below ground, for a maximum height of eighty-five feet (85'), additional surface parking, and allowing

professional, medical and surgical uses; providing for severability; and providing a penalty not to exceed \$2,000 for each day of violation of any provision hereof.

- a. Presentation of requested PAD amendment by applicant
- b. Those in favor
- c. Those opposed
- d. Adjourn public hearing

Mr. Hoffman opened the public hearing at 7:08 p.m. He noted that this falls within the FPADD, next to the AT&T building. He also said that this is not the final public hearing and said that would take place at the City Council meeting. Mr. Meadows spoke about the development at the initial public hearing and all referenced ordinances are in the packet. Steven Freeman of Kimley-Horn spoke on behalf of the owner of the property, TLM-SVMP II LLC and its manager, John Joubert. Briefly, Mr. Freeman noted the requests as: to construct a building of a maximum 85 feet height consisting of three stories for professional use, a four story parking garage one of which would be underground, eliminate retail requirement, change setback to 10 feet from 20 feet connecting the underground parking, and to remove the landscaping behind the existing building. A site line study was done and it is proposed to have the building 60 feet from the sound wall and to frost the back windows of the building.

Mr. Hoffman tried to get a count of the numbers of speakers, some of whom were present and others were via telephone or Zoom. He asked that speakers not to repeat what had already been said and to try to limit speeches to no more than four minutes.

Rebecca Lopez, 9205 Cardwell

- Six stories – too high
- Would destroy residential feel of community
- 85 feet is a very tall building to have in back yard
- Wants a limit of 60 feet
- There are no other buildings this tall

John Lopez, 9205 Cardwell

- Look throughout the City and there is nothing like this
- Loves lower profile of Home Depot
- Lived in Spring Valley Village since 1982

Zach Raffoul, 9209 Cardwell

- Resident since 1999
- Lives closest to the proposed building
- Wants a smaller building

Cynthia Chen, 9200 Cardwell

- Main concern is security
- Does not feel safe with such a high building
- Can see everything from that building and garage

Marjorie Meyer, 9166 Cardwell

- Wants to support all the residents
- Visualize the impact
- Will decrease property values

Frank Sirosky

- Will decrease property values

Matt Webb, MD, 1201 Anne

- Agrees with decrease in property values
- Wants lower building

Resident at 9021 Larston

- Against the building

Wen Kai Lu, 4 Parkland St

- Agrees with everyone else
- This is a residential oasis

Valerie Spears, 9208 Cardwell

- In 1987/88, had a lot of cut through traffic prior to I-10 widening
- Concerned about cut through traffic on Hilldale
- Stop potential cut through

Mr. Hoffman closed the public hearing at 7:37 p.m.

- 10. Consideration and possible action concerning:** Ordinance Number 2020-XX an ordinance of the City of Spring Valley Village amending Ordinance No. 2015-17, being an ordinance amending Ordinance No. 2014-13, being an ordinance amending Ordinance 2013-22 approving a Planned Area Development (“PAD”) of approximately 1.17 acres of land just east of the north east intersection of Katy Freeway and Adkins Road, being out of Lot 17 and Lot 2 of the West Park Subdivision, in the Thomas A. Hoskins Survey, Abstract No. 342, Harris County, Texas within the Freeway Planned Area Development District to allow construction of a three story Professional building over a four level parking structure with one level below ground, for a maximum height of eighty-five feet (85’), additional surface parking, and allowing professional, medical and surgical uses; providing for severability; and providing a penalty not to exceed \$2,000 for each day of violation of any provision hereof.

Mr. Hoffman and Mr. Meadows spoke about the site plan. Other comments from the commission members and staff followed.

- AMM – the ordinance in the packet is not what the applicant wants.
- LS – can provide feedback/consensus without voting.
- TH – amend existing PAD to include adjacent property; problematic; look at all properties separately; looking for a concept feedback; architecturally similar to current building.
- CC – to give some historical context; the other building came to P&Z in 2013, it was a high quality building; did not hear any feedback even though it was in front of a home owner. No feedback. This is a funky property and blocks out eastern and southern sun. With setback as narrow as suggested, there are engineering and fire challenges.
- MEM – remembers like Mr. Calderwood does about the prior building. The new proposal is so close to the backyards and the height of building is a concern.
- AW – Thank you to residents who showed up to speak. Spring Valley Village values have dropped 6%; listings are at 39%. Would encourage a lower profile. This new proposed building will be a hit on property values.
- PJ – concerned about height of building.
- LR – is this size of a building viable given changes expected in office space due to Covid 19 virus.
- JL – impact is pretty severe to neighbors.
- TH - wanted to thank everyone for their comments. This piece of property was impacted by railroad track and Old Katy Road. This area will have some sort of commercial. He is concerned about merging the PAD’s. The 60 foot setback will help. Just because there may be other 85

foot buildings does not mean that this proposed building will be the same. Behind the building where Peli Peli was located, there are healthy trees and a street which makes a difference. Also, the type of lot pushes noise volume back to the residential area. It was not clear about removing the landscape. He is indifferent about removing the retail requirements. Mr. Hoffman did a print out of property values and they went up.

- AMM – friends with developer and he is a top notch developer and is friends with the neighbors. Challenging piece of property as there is not a buffer street. Understands why neighbors are concerned. Developer needs to get more creative. Does not care about retail but likes the success of Federal Grill restaurant. Setbacks are narrow between the buildings is narrow. If developer wants an 85 foot building, then other concessions need to be made.
- TH – happy with the building they did before. There was no view on the north side of the 6th floor. Currently there are no two story houses on Cardwell.
- AW – why does the building have to be 85 feet. The visual impact is that the building is always in your face.
- JL – given what they paid for land, need the density.

Valerie Spears wanted to address that there had been no residential “outcry” previously. She was not aware but she would have spoken out. She does not want a parking garage in the back as they are noisy.

Mr. Hoffman noted that feedback has been given to the developer and is pleased that the developer is in Spring Valley Village. No vote was taken.

Note:

Return to items in sequence.

- 3. Conduct a public hearing concerning:** A preliminary and final re-plat of Old Katy Rd. C.O. Reserve, a plot containing 1.182 acres of land. Situated in Dwelling District ‘A’, City of Spring Valley Village, Harris County, Texas bearing the address of 1015 Bade Street.
 - a. Presentation of preliminary and final re-plat by applicant
 - b. Those in favor
 - c. Those opposed
 - d. Adjourn public hearing

Mr. Hoffman opened the public hearing at 8:23 p.m. Mr. Meadows noted that this was more of a cleanup item. Juan Castillo of CAS Consultants, 6201 Bonhomme Road represented the owner, Southwestern Bell Telephone Company, a subsidiary of AT&T for a re-plat to confirming commercial zoning from Dwelling District A. Owner plans to continue operating in the current manner until property is redeveloped. Mr. Hoffman called for comments. Ms. Lopez, 9205 Cardwell asked why she as a homeowner did not get information on this item and wanted to know what was being done. Mr. Meadows explained the re-plat. Mr. Hoffman asked if one letter or separate letters are sent regarding the zoning changes. Mr. Meadows said typically there are separate notifications and notification is based on how close the houses are to the property in question. Following residents said they did not receive notification: Ms. Chen at 9200 Cardwell and Mr. Raffoul at 9209 Cardwell. Mr. Smith said that the meeting would continue even though notification may have been missed. Mr. Hoffman reiterated that this was a housekeeping item. Mr. Castillo said the owner was not going to develop anything. Valerie Spears, 9208 Cardwell asked if it would be townhouses. Both Mr. Hoffman and Ms. McMichael

said no, this was a legal housekeeping item only. Mr. Calderwood asked if the AT&T building was a conforming building. Mr. Smith said that a plat does not affect conforming or not. Ms. Winstead said this was a housekeeping item, cut and dry.

There being no more speakers, Mr. Hoffman closed the public hearing at 8:43 p.m.

4. **Consideration and possible action concerning:** A preliminary and final re-plat of Old Katy Rd. C.O. Reserve, a plot containing 1.182 acres of land, situated in Dwelling District 'A', City of Spring Valley Village, Harris County, Texas Bearing the address of 1015 Bade Street.

Ms. McMichael made the motion to approve the item. Ms. Winstead seconded the motion. The motion carried 7 to 0.

5. **Conduct a public hearing concerning:** Ordinance Number 2020-XX an ordinance amending the Code of Ordinances of the City of Spring Valley Village, Texas amending the City's official zoning map to add 1.182 acre tract of land being out of Lot 17 and the north 20.5 feet of Lot 1 of the West Park Subdivision, bearing the address of 1015 Bade Street, Houston, Texas to the Freeway Planned Area Development District ("FPADD") and providing a severability clause, a savings clause and an effective date.
 - a. Presentation of requested PAD amendment by applicant
 - b. Those in favor
 - c. Those opposed
 - d. Adjourn public hearing

Mr. Hoffman opened the public hearing at 8:48 p.m. Mr. Meadows explained that this property is currently zoned Dwelling District A, but is being used as "commercial" and this is a request to re-zone accordingly. Mr. Hoffman closed the public hearing at 8:50 p.m.

6. **Consideration and possible action concerning:** Ordinance Number 2020-XX an ordinance amending the Code of Ordinances of the City of Spring Valley Village, Texas amending the City's official zoning map to add 1.182 acre tract of land being out of Lot 17 and the north 20.5 feet of Lot 1 of the West Park Subdivision, bearing the address of 1015 Bade Street, Houston, Texas to the Freeway Planned Area Development District ("FPADD") and providing a severability clause, a savings clause and an effective date.

Ms. Lopez asked why does it need to be a PAD and not "B." Mr. Hoffman noted that there were no plans to develop this particular piece of property. He said that the Freeway PAD provides more flexibility to be able to design a commercial entity that is pleasing to the City. Whereas with a "B" zoning there is not that flexibility. Mr. Smith said that this property was surrounded by the Freeway PAD. Ms. McMichael said that a PAD gives greater protection to the residents. If it were zoned "B" and all ordinances and regulations were met, then there would be no public hearing. Mr. Johnson made a motion to approve this item. Ms. McMichael seconded the motion. The motion carried 7 to 0.

7. **Conduct a public hearing concerning:** Ordinance Number 2020-XX an ordinance of the City Council of the City of Spring Valley Village, Texas amending Exhibit A of Chapter 12, Planning and Zoning, of the Code of Ordinances of the City, Exhibit A being the zoning ordinance of the City, by amending Ordinance 2014-12 providing for a Planned Area Development ("PAD") of approximately 2.38 acres of land at the northeast intersection of I-10 and Campbell Road within the Freeway Planned Area Development

District by permitting new health care and medical and general business occupancies; providing for severability; providing a savings clause and an effective date; and providing a penalty of an amount not to exceed \$2,000 for each day of violation of any provision hereof.

- a. Presentation of requested PAD amendment by applicant
- b. Those in favor
- c. Those opposed
- d. Adjourn public hearing

Mr. Hoffman opened the public hearing at 9:00 p.m. Mr. Meadows spoke about this item explaining the NAICS sector numbers. Methodist would like to have a bottom floor access. Some second floor items like finance, insurance will be able to move to the first floor. A resident at 9035 Elizabeth asked what the City would gain with the sales tax revenues. Valerie Spears is excited about the potential of restaurants. The applicant does not want to exclude retail but would like the option. The two retail businesses, a restaurant and a decorator shop have gone out of business. Mr. Hoffman closed the public hearing at 9:15 p.m.

- 8. Consideration and possible action concerning:** Ordinance Number 2020-XX an ordinance of the City Council of the City of Spring Valley Village, Texas amending Exhibit A of Chapter 12, Planning and Zoning, of the Code of Ordinances of the City, Exhibit A being the zoning ordinance of the City, by amending Ordinance 2014-12 providing for a Planned Area Development (“PAD”) of approximately 2.38 acres of land at the northeast intersection of I-10 and Campbell Road within the Freeway Planned Area Development District by permitting new health care and medical and general business occupancies; providing for severability; providing a savings clause and an effective date; and providing a penalty of an amount not to exceed \$2,000 for each day of violation of any provision hereof.

Mr. Hoffman noted that the NAICS sector numbers had been reviewed and revised by the Planning and Zoning Commission over five years ago. Mr. Calderwood was fine with only allowing sector numbers 53, 52, 55, and 62. He said the building was fully leased with the exception of the two bottom floor retail areas. Ms. McMichael was okay with some professional and with taking out retail only. Ms. McGlothlin was fine with Methodist being sports rehab and agreed that being allowed on the bottom floor would provide easier access. Ms. Winstead stated that rehab was good. Mr. Johnson and Ms. Richman were in agreement. Ms. McMichael made the motion to approve the item. Ms. McGlothlin seconded the motion. The motion carried 7 to 0.

9. Moved out of order

10. Moved out of order

- 11. Conduct a public hearing concerning:** A preliminary and final re-plat of Tamy Two of Spring Valley, a plot containing 0.5470 acres of land, situated in Dwelling District ‘A,’ City of Spring Valley Village, Harris County, Texas bearing the address of 1213 Tamy Lane.

- a. Presentation of preliminary and final re-plat by applicant
- b. Those in favor
- c. Those opposed
- d. Adjourn public hearing

1st
Charlie C.
Ann 2nd

Mr. Hoffman opened the public hearing at 9:37 p.m. Ms. Oah Nguyen, 1111 Richmond, #150, Houston TX 77082 spoke for the applicant. This is a subdividing one lot into two lots: 11,634 square feet and 12,000+ square feet. Mr. Hoffman said that there is a single dwelling on the lot which will probably need to be demolished and that demolition needs to be part of the ordinance. ~~This is going from one lot to two lots and both meet the requirements of the subdivision ordinance.~~ Discussion ensued about the floodway. Driveway needs to be further north. Residents at the following addresses spoke on the item: 9006 Elizabeth, 9021 Randy, 9031 Elizabeth, 9002 Randy, and 1077 Cinnamon Oak. Comments were:

- Owner of lot has no intention of doing anything with oak.
- Concern about flooding and the large oak tree.
- The subdividing feels a bit like the Heights where two lots are being “smushed” together. They have four children and safety is a concern.
- The two driveways will take away the neighborhood feel; has safety concerns; will have to back into the two driveways; hope oak tree does not get killed.
- Speaker’s house has flooded three times; got petition with 50 signatures from residents from many streets who are against the subdividing with concerns about more traffic, flooding, safety and tree safety.
- Concerned about safety, walkers, driveways being too close to bridge and traffic.

Mr. Hoffman closed the public hearing at 10:15 p.m.

12. Consideration and possible action concerning: A preliminary and final re-plat of Tamy Two of Spring Valley, a plot containing 0.5470 acres of land, situated in Dwelling District ‘A,’ City of Spring Valley Village, Harris County, Texas bearing the address of 1213 Tamy Lane.

Comments from Planning and Zoning members and city staff followed:

- Concerned about flooding.
- Is this a street in front of lot or not.
- Land needs to drain somewhere and the City may need to spend some money to fix it.
- Civil engineer has reached out to city.
- What happened on Merlin was a disaster and this division into two lots will not work from many issues.
- Issue about square footage of lot and the easements.
- These are high lots.
- What does the City need to do about the flooding.
- Harris County Flood Control needs to be involved with a review.
- Flooding is not a consideration in platting per Mr. Smith.

Mr. Calderwood asked if this item were tabled, when would it come up again. Mr. Smith replied that it would be on the next agenda. Mr. Calderwood made a motion to table the item. Ms. McMichael seconded the motion. The motion carried 7 to 0.

13. Consideration and possible action concerning: changing the date of the Planning & Zoning Commission meeting for July.

Mr. Meadows said that City Council has scheduled a budget meeting on the second Tuesday in July, the regular Planning and Zoning Commission meeting date. Ms. McGlothlin made a motion to set the

Planning and Zoning Commission meeting for Wednesday, July 15, 2020. Mr. Calderwood seconded the motion. The motion carried 7 to 0.

14. Discussion and direction concerning: the activities of the City Council during the April 28, 2020 meeting regarding Planning & Zoning matters.

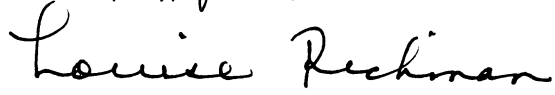
Mr. Smith reported that City Council had approved the re-plat. Councilmember Vajdos noted that there would be a new P&Z council representative.

15. Adjournment

Ms. McMichael made a motion to adjourn. Ms. McMichael seconded the motion. The motion carried 7 to 0. The meeting was adjourned at 10:39 p.m.

Signed: 

W. K. (Trey) Hoffman, Chairman

Attest: 

Louise Richman, Secretary