

Planning & Zoning Commission Meeting Minutes
City of Spring Valley Village
Tuesday, September 8, 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
Charlie Calderwood
John Lisenby
Maryellen McGlothlin
Jim Autenreith, alternate

Planning & Zoning Members present via Zoom:

Louise Richman
Anne-Marie McMichael

A quorum was present.

City Officials present:

Julie Robinson, City Administrator - via phone/Zoom
Zach Meadows, Director of Community Development
Matt Hitt, Assistant to City Administrator
Loren Smith, City Attorney

- 2. Approval of meeting minutes for regular meeting August 11, 2020**

Mr. Hoffman clarified that Floor 5 moved 20 feet back and Floor 6 moved 30 feet back. Mr. Lisenby made the motion to approve the minutes. Ms. McGlothlin seconded the motion. The motion carried 6 to 0.

- 3. Conduct a public hearing concerning:** Ordinance Number 2020-XX an ordinance of the City Council of the City of Spring Valley Village, 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 2018-28 amending a Planned Area Development ("PAD") of approximately 2.5511 acres of land at the northwest intersection of I-10 and Campbell Road within the Freeway Planned Area Development District requiring construction on the development approved by Ordinance No. 2018-28 to commence no later than December 31, 2020; 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 7:04 p.m. Mr. Meadows said that the caption explains well this item. There had been verbal agreements to extend the start of construction until December 31, 2020. This item will formalize the extension with an ordinance and if construction is not started by December 31, 2020, the development process will need to restart. The developer commented that he had a major tenant but the tenant is now pursuing other opportunities. This is the COVID effect. There are three potential tenants. December 31, 2021 is a better date for start of construction. The success of the project depends on permits, etc. and being "shovel-ready." City of Houston permitting takes six+ months. The lending environment has frozen. Mr. Hoffman closed the public hearing at 7:11 p.m.

4. **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 2018-28 amending a Planned Area Development ("PAD") of approximately 2.5511 acres of land at the northwest intersection of I-10 and Campbell Road within the Freeway Planned Area Development District requiring construction on the development approved by Ordinance 2018-28 to commence no later than December 31, 2020; 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 providing any provision hereof.

Ms. Robinson commented that the developer and she had discussed why an ordinance is needed after two years. And she is not even sure what a building would look like after two years of being extending twice and nothing has started. This is more of an administrative ordinance. Mr. Lisenby said the Spring Valley Village approval process can happen quickly and that the City cannot grant permits in perpetuity.

Mr. Lisenby made the motion to approve the ordinance. Ms. McGlothlin seconded the motion. The motion carried 6 to 0.

5. **Conduct a public hearing concerning:** A preliminary and final re-plat of Bade Street Reserve, a plot containing 0.1441 acre of land, situated in the Freeway Planned Development District, City of Spring Valley Village, Harris County, Texas bearing the address of 9200 Old Katy Road.
 - 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 7:16 p.m. Mr. Meadows presented the item which is a re-plat request only. Ms. McMichael inquired as to the address of the AT&T building. It is 1015 Bade. Mr. Hoffman closed the public hearing at 7:18 p.m.

6. **Consideration and possible action concerning:** A preliminary and final re-plat of Bade Street Reserve. A plot containing 0.1441 acre of land, situated in The Freeway Planned Area Development District of Spring Valley Village, Harris County, Texas bearing the address of 9200 Old Katy Road.

Ms. McGlothlin made a motion to approve the ordinance. Mr. Lisenby seconded the motion. The motion carried 6 to 0.

- 7. Conduct a public hearing concerning:** Ordinance Number 2020-XX – an ordinance of the City of Spring Valley Village, Texas creating and approving a Planned Area Development (“PAD”) of approximately 0.1441 acres of land located at the northwest corner of Bade Street and Interstate 10, being a portion of Lot 1 of 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 single-story building between 970 square feet and 1,225 square feet, surface parking, and allowing commercial, uses to be known as the Bade Street Reserve; 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 by applicant
 - b. Those in favor
 - c. Those opposed
 - d. Adjourn public hearing

Mr. Smith noted that there should be a comma between “commercial” and “uses” in the caption. (Note: the comma has been added to the caption.)

Mr. Hoffman opened the public hearing at 7:20 p.m. Mr. Meadows said that there are two possibilities being presented: one story building at 1,255 square feet with seven parking spaces and one story building at 970 square feet with eight parking spaces. No tenant has yet been secured. Brad Sweitzer on behalf of the owner gave background on the tract with respect to AT&T and size. Mr. Hoffman closed the public hearing at 7:27 p.m.

- 8. Consideration and possible action concerning:** Ordinance Number 2020-XX – an ordinance of the City of Spring Valley Village, Texas creating and approving a Planned Area Development (“PAD”) of approximately 0.1441 acres of land located at the northwest corner of Bade Street and Interstate 10 being a portion of Lot 1 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 single-story building between 970 square feet and 1,255 square feet, surface parking, and allowing commercial, uses to be known as the Bade Street Reserve: providing for severability; and providing a penalty not to exceed \$2,000 for each day of violation of any provision hereof.

Mr. Smith noted that there should be a comma between “commercial” and “uses” in the caption. (Note: the comma has been added to the caption.)

Mr. Lisenby – proposed buildings are beautiful; trying to consolidate and clean up PAD; can’t really see this.

Ms. McGlothlin – what kind of businesses are proposed?

Jay Bonano – there has been interest in a bank; smoothie shop, professional use by a doctor. Make it look cohesive with other developments; it is a small PAD; have something to fold in with other sites of AT&T site; does not think this proposal would look out of place.

Ms. McGlothlin – challenging

Mr. Bonano – spoke about the AT&T building.

Mr. Hoffman – allows older buildings to stay regardless if they violate ordinance.

Ms. Richman – asked about back-in parking and is parking sufficient for size of building.

Mr. Bonano – highly unlikely that it will be retail. There is interest for a drive-through which would work well. Parking does meet standards. Building size will limit number of people. Turning movement is okay and meets code.

Ms. McMichael – biggest concern is the proximity to the feeder road; drive-through is a no. New issue for Spring Valley Village even though along IH-10 there may be others.

Mr. Bonano – set back is 35 feet from curb. 25 feet is TXDoT requirement.

Mr. Hoffman – This is a tough one; referenced the PAD; Spring Valley Village owns Bade Road and it dead ends to the sound wall.

Mr. Bonano – if AT&T goes away or until he can get control of AT&T, this is a sort of a temporary solution.

Ms. McMichael – concerns/issues are: proximity to feeder road; small piece of property for a standalone, too piecemeal; PAD ordinance is less restrictive on set back.

Mr. Bonano – this was kind of fun to do this project.

Mr. Hoffman – AT&T developers would have to figure out how to “get out” (access) of property; could use Bade; move AT&T building further back; land lock issues.

Mr. Smith – variance issue; not a precedent set with this property.

Mr. Lisenby – spent a lot of time around the property; all will be redeveloped; this is opposite from Spring Valley Village’s PAD goals; cannot “warehouse” property.

Mr. Smith – cannot put a restriction that something will be torn down.

Ms. Richman – AT&T building contains all their equipment and is not going anywhere anytime soon.

Ms. McMichael made a motion to approve the request. Mr. Lisenby seconded the motion. The motion failed by 6 to 0. Mr. Hoffman noted that the “ask” will go to City Council for a vote. The developer noted that he spent money for this property that he wished he had not.

9. Discussion and direction concerning: the activities of the City Council during the August 25, 2020 meeting regarding Planning & Zoning Commission matters.

Mr. Meadows reported that City Council approved the I3 development with the recommendations from Planning & Zoning Commission and that they appreciated all the meetings that Planning & Zoning had.

Mr. Giammalva asked from where the recommendations came? Planning & Zoning listened to the residents and adjusted accordingly.

10. Adjournment

Mr. Autenreith made a motion to adjourn. Ms. McGlothlin seconded the motion. The motion carried 6 to 0. The meeting was adjourned at 8:13 p.m.

Signed: _____


W. K. (Trey) Hoffman, Chairman

Attest: _____


Louise Richman, Secretary