

**MINUTES OF A PUBLIC MEETING
OF THE CITY OF BUNKER HILL VILLAGE
PLANNING AND ZONING COMMISSION**

TUESDAY, JULY 25, 2017 AT 11:30 A.M.

I. CALL TO ORDER

Chairman Purifoy called the Planning and Zoning Commission Meeting to order at 11:33 a.m. based on a quorum of members present:

Present:

William Purifoy, Chairman
Catherine Wile
Bill Going
Jack Christiansen
John Gillette
Monica Muschalik

Absent:

Jean Krivan

Also in Attendance:

Councilman Robert Lord, P&Z Liaison
Britique Williams, City Secretary/Dir of Finance
Steve Smith, Dir of Public Works/Bldg Official
Karen Glynn, City Administrator
Loren Smith, City Attorney

II. OATH OF OFFICE

Loren Smith, City Attorney administered the annual Oath of Office to the following members:

- Jack Christiansen
- John Gillette
- Bill Goings
- Monica Muschalik
- William Purifoy
- Catherine Wile

III. ELECTION OF CHAIRMAN AND VICE CHAIRMAN TO SERVE FOR A ONE YEAR TIME PERIOD FOR THE PLANNING AND ZONING COMMISSION

A motion was made by Monica Muschalik and seconded by John Gillette to appoint William Purifoy as Chairman of the Planning and Zoning Commission. The motion carried 6-0.

A motion was made by Monica Muschalik and seconded by John Gillette to appoint Catherine Wile as Vice-Chairman of the Planning and Zoning Commission. The motion carried 6-0.

IV. DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF THE MAY 24, 2016 MINUTES FOR THE PLANNING AND ZONING COMMISSION

A motion was made by Catherine Wile and seconded by Monica Muschalik to approve the minutes of May 24, 2016 as submitted. The motion carried 6-0.

V. CONSIDERATION AND POSSIBLE ACTION ON A RECOMMENDATION TO THE CITY COUNCIL TO APPROVE A SHORT FORM FINAL PLAT FOR THE PROPERTY AT 302 BELIN MANOR – *Mr. Steve Smith, Building Official/Director of Public Works*

Steve Smith presented the Short Form Plat for 302 Belin Manor.

Plans for construction of a new home at 302 Belin Manor was submitted to the City in January 2017. During the plan review, it was found that the Belin Manor Subdivision had received approval but the final plat was never recorded with Harris County. As a result, Probstfeld & Associates, the property owner's representative has submitted the attached final plat for the Planning and Zoning Commission and ultimately, the City Council's approval.

This plat is considered a short form final under the City's Subdivision Ordinance whereby the plat can be considered without a preliminary plat since it is only one lot and does not include or alter any public right of way or has any zoning changes.

Staff has reviewed the plat and after revisions, finds the plat meets all requirements of the City's Ordinances.

A motion was made by John Gillette and seconded by Catherine Wile to approve the Short Form Final Plat for the property at 302 Belin Manor as submitted. The motion carried 6-0.

VI. CONSIDERATION AND POSSIBLE ACTION TO RECOMMEND TO THE CITY COUNCIL AMENDMENTS TO THE CITY'S DEVELOPMENT RELATED ORDINANCES AND DRAINAGE CRITERIA MANUAL -- *Karen Glynn, City Administrator & Mr. Steve Smith, Building Official/Director of Public Works*

Steve Smith presented the following items:

A. Allow In Kind/Same Kind Improvements for Main Structures and include an exception to size of yards (setbacks) for reconstruction of homes that do not change the existing exterior structural components.

An item was included in the 2015 Code Update as "In Kind/Same Kind" to allow property owners to make maintenance improvements to items such as driveways, garages, pools, whereby these items may have encroached onto the current city required yards or setbacks but only maintenance for the same structure was requested. This has had a positive impact for property owners.

In evaluating this item and hearing from other residents, staff is asking the Commission to consider allowing this for the main structure as well including remodels for over 50% of the structure. We are seeing more individuals wanting to maintain the character of the older style homes but make improvements inside. Staff is recommending this be allowed only if the exterior structural components are not changed such as the existing footprint or exterior walls. This would not include any additions to the second story. The current slab elevation must also meet the current requirements.

After discussion, a motion was made by John Gillette and seconded by Jack Christiansen to approve the In Kind/Same Kind exception as submitted and recommend this change to the City Council. The motion carried 5-0.

B. Require Detention for 45% of lot coverage for lots 25,000 square feet or less (minus existing coverage credit) for new houses only as recommended by the Drainage Committee.

The 2015 Code Update included a new Chapter 4 Development Code which includes the City's Drainage Ordinance and references the City's Drainage Criteria Manual. The Ordinance states that the property owner(s) are responsible for detaining the difference of storm water runoff calculated between the existing and proposed improvements. We believe that the Drainage Ordinance and requirements are having a positive impact in the City. There is one concern that staff has been experiencing which is the addition of improvements such as a pool or outdoor kitchen during the construction timeframe.

We have found that many houses are permitted by a builder and then sold during construction at which time, the new owner is ready to add the pool, sports court and/or an outdoor kitchen and/or modifications are made during construction with the same property owner. Typically, the drainage detention is permitted based on the approved plans prior to any additions or modifications. The drainage requirements must then be redesigned, resubmitted, and reapproved to accommodate the additional items.

Staff is recommending the Commission's consideration and recommendation to address the drainage in a better way.

Over the past few years, staff has found that the average detention design is based on approximately 42% of the lot for lots 25,000 sf or less that include swimming pools. The maximum impervious cover is 45%. As a result, it is recommended that the City require that all new construction on lots 25,000 sf or less must design their detention based on 45% maximum lot coverage minus the existing cover. This would ensure the detention is already in place for any additional improvements and additional design and review costs would not be necessary.

This item has been discussed and is recommended for approval by the Drainage Committee. A motion was made by John Gillette and seconded by Catherine Wile to approve the recommendation for this change to council as submitted. The motion carried 5-0.

VII. CONSIDERATION AND POSSIBLE ACTION TO RECOMMEND TO THE CITY COUNCIL AN UPDATE TO THE CITY'S NUISANCE ORDINANCE REGARDING NOISE AND ESTABLISHMENT OF A SPECIAL EVENT PERMIT – Karen Glynn, City Administrator

A. Nuisance Ordinance regarding Noise

This item was introduced by Karen Glynn. The Commission continued discussion on review of the City's Noise Ordinance. Assistant Police Chief, Ray Schultz, Memorial Villages Police

Department (MVPD) attended and shared statics on noise complaints as MVPD is the City's enforcement entity after regular business hours which is typically the timeframe for noise complaints and concerns.

The Commission reviewed the draft amendments to the Noise Ordinance, made comments, and asked Staff to bring back information for further discussion. The following highlights the recommendations to date:

- Define Quiet
- "Reasonable Timeframes" are recommended to be included as noted:
 - Sunday thru Thursday (evenings prior to work days) 9:00 - 10:00 p.m.
 - Friday thru Saturday 11:00 p.m. – 8:00 a.m.
- A "Special Event Permit" is recommended for events with over 35 invitees and should not include the major holidays or holiday eves.
- A permit should be required. Further discussion is needed on the timeframe for submittal and for noticing neighbors.

Karen Glynn polled the Commission for a time to set a meeting during the next month. The Commission set the next meeting for Tuesday, September 26th at 11:30.

VIII. ADJOURN

Chairman Purifoy announced the closing of the Planning and Zoning Meeting at 1:30 p.m.

Approved and accepted on October 3, 2017

William Purifoy, Chairman - Planning and Zoning Commission

Attest:

Britique Williams, City Secretary