



**Planning & Zoning  
Commission Meeting  
December 8, 2020  
7:00 p.m.**

W.K. (Trey) Hoffman, Chairman  
Anne-Marie McMichael, Vice-Chair  
Louise Richman, Secretary  
Charles Calderwood

Patrick Johnson  
John Lisenby  
Maryellen McGlothlin  
Jim Autenreith, Alternate



## **AGENDA**

City of Spring Valley Village  
Planning & Zoning Commission Meeting  
Council Chambers at City Hall  
1025 Campbell Road, Spring Valley Village, Texas  
Tuesday, December 8, 2020 at 7:00 P.M.

### **SUPPLEMENTAL NOTICE OF MEETING BY TELEPHONE CONFERENCE**

In accordance with order of the Office of the Governor issued March 16, 2020, the Planning & Zoning Commission of Spring Valley Village will conduct the meeting scheduled at 7:00 p.m. on Tuesday, December 8, 2020 in the City Hall Council Chambers, located at 1025 Campbell Road, in part by telephone conference in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19).

The meeting agenda and agenda packet are posted online at [www.springvalleytx.com](http://www.springvalleytx.com).

The video link to this meeting is <https://us02web.zoom.us/j/81218485699>

The public toll-free dial-in numbers to participate in the telephonic meeting are 1-346-248-7799 (Houston), 1-253-215-8782 (US), and 1-301-715-8592 (US); enter the Meeting ID: 812 1848 5699 and #.

The public will be permitted to offer public comments as provided by the agenda and as permitted by the presiding officer during the meeting.

An audio recording of the meeting will be made, and will be available to the public in accordance with the Open Meetings Act upon written request.

- 1. CALL THE ROLL AND ANNOUNCE A QUORUM IS PRESENT**
- 2. APPROVAL OF MEETING MINUTES:** Regular Meeting on October 13, 2020
- 3. 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 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 FULLY-EXECUTED LEASES FOR AT LEAST 50% OF THE TOTAL BUILDING SQUARE FOOTAGE FOR THE DEVELOPMENT APPROVED BY ORDINANCE NO. 2018-28, AND PROVIDE PROOF TO THE CITY OF SUCH LEASES, NO LATER THAN DECEMBER 31, 2021; 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 City
- B. Those In Favor
- C. Those Opposed
- D. Adjourn Public Hearing

4. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance No. 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 FULLY-EXECUTED LEASES FOR AT LEAST 50% OF THE TOTAL BUILDING SQUARE FOOTAGE FOR THE DEVELOPMENT APPROVED BY ORDINANCE NO. 2018-28, AND PROVIDE PROOF TO THE CITY OF SUCH LEASES, NO LATER THAN DECEMBER 31, 2021; 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.
5. **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 OUTDOOR PATIO DINING BETWEEN THE HOURS OF 6:00 A.M. AND 12:00 A.M.; 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 City
- B. Those In Favor
- C. Those Opposed
- D. Adjourn Public Hearing

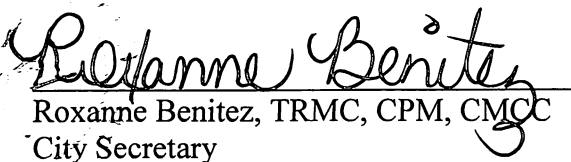
**6. CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number 2020-XX – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, AMENDING EXHIBIT A OF CHAPTER 12, PLANNING AND ZONING, OF THE CODE OF ORDINANCES OF THE CITY, EXHIBIT A BEING THE ZONING ORDINANCE OF THE CITY, 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 OUTDOOR PATIO DINING BETWEEN THE HOURS OF 6:00 A.M. AND 12:00 A.M.; 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.

**7. DISCUSSION AND POSSIBLE DIRECTION CONCERNING:** The Activities of the City Council During the November 17, 2020 Meeting Regarding Planning & Zoning Commission Matters.

## **8. ADJOURNMENT**

*Note: Per Chairman Hoffman, if a quorum is not made at the Planning & Zoning Commission meeting, the members present will meet as a sub-committee strictly to discuss the agenda items.*

Posted this the 2<sup>nd</sup> day of December, 2020 at 10:30 a.m. pursuant to the Open Meetings Act, Chapter 551, Texas Government Code.

Attest:   
Roxanne Benitez, TRMC, CPM, CMCC  
City Secretary

In compliance with the Americans with Disabilities Act, the City of Spring Valley Village will provide reasonable accommodations for persons attending public meetings. This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made no less than 48 hours prior to this meeting. Please contact the City Secretary's office at 713-465-8308 or email [secretary@springvalleytx.com](mailto:secretary@springvalleytx.com) for further information.

# Minutes

Planning & Zoning Commission Meeting Minutes  
City of Spring Valley Village  
Tuesday, October 13, 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  
Charlie Calderwood  
Maryellen McGlothlin

Planning & Zoning Members present via Zoom:

Louise Richman

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  
David Dominy, City Councilmember

- 2. Approval of meeting minutes for regular meeting September 8, 2020**

Ms. McGlothlin made the motion to approve the minutes. Ms. McMichael seconded the motion. The motion carried 5 to 0.

- 3. (#4 renumbered and moved ahead of former #3) 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

Mr. Hoffman took Item #4 out of order to move it before Item #3. Kyle Sears will wait until Item #3 is discussed. #4 has been renumbered to #3.

Mr. Hoffman opened the public hearing at 7:03 p.m.

Mr. Jeffrey Boutte of Windrose Land Services spoke to explain the item. The lot totals 23,826 square feet and the request is to create two lots with the following square footage: Lot 23A – 11, 195 square

feet and Lot 23B – 12,031 square feet. The proposed lots do not meet the subdivision requirement for lot width for radial lots. This is not a typical radial lot and if the variance is approved, the size of these two lots will be in “compliance” with the neighborhood. If the lot stays at the original size, it will be larger than the lots in the neighborhood which range from 10,000 to 16,000 square feet. If the variance is not approved, it will deprive the applicant of property rights.

Kyle Sears, 8841 Cavell Street spoke as a consultant to the applicant and not as an attorney. This is a special lot; it is neither a square nor a rectangle. The problem is that there is a slight arc, it is on a dead end street, a stub street. The proposed driveway will line up with the old driveway and there is a new driveway. There is a big, beautiful tree in the ROW. The lot sits on a drainage easement and will help with issues and concerns that P&Z and the residents had. The house on the lot has been demolished, the pool filled in and the area has been cleaned up. Two houses can go on the lot and fit in better with the neighborhood than having one house on a huge lot. If the variance is not granted, the property owner is deprived of his right to maximize the value of the lot. The subdividing will not affect property values. Issues of drainage will be fixed. Some pruning of the trees will be necessary. Traffic increase will be negligible. The placement of the houses on the two lots will have an open, large feeling.

Mr. Hoffman asked that people wishing to speak would raise their hands. There is a four minute limit and please do not keep repeating what everyone has said prior. Just say, I agree with the prior speakers.

Katherine Gutierrez, 9003 Randy – Grew up in this area and gave a history of area. There were large lots with lots of trees. Has not seen lots being chopped up.

K Gatewood, 9001 Randy – need to pick and choose where to develop. Hate to see lots being divided.

G/C Vann, 22 Village Oaks – opposed to subdividing lot. Use bridge daily, two lots would create congestion with vehicles trying to park, would be too many. Lot has a flood easement which is the largest in Spring Valley Village. When it rained consistently, prior owner’s cars would flood.

G Gregg, 9002 Randy – agrees with prior speakers. Safety is an issue since his kids go to that area to play. There would be increased traffic with subdividing the lot. An ordinance exists and when do you stop changing everything.

Ben Rogers, 9021 Randy – Agrees with prior speakers. This is outside the guidelines, when do you stop and the percentages are not immaterial.

C Crane, 9017 Randy – Opposes subdividing. Knew prior owner and he opposed subdividing the lot.

E Tredennick, 8942 Croes – Opposed to subdividing. Moved to Spring Valley Village in 2017. He went through a re-plat to make his lot bigger. Does not want to encourage cookie cutter lots.

J/B Naponic, 2 Cardwell Court – Opposed to subdividing. The lot is unique. Walks daily and there are so many joggers, walkers in the area. Have they met the subdivision ordinance? This is not about reasonableness but about a profit. It would set a precedent and traffic is a concern.

Lisa Keeter, 9031 Elizabeth – Knew Frank, prior property owner. There is subjectivity in the report such as property rights being deprived. Could build one large beautiful home. The tax loss is small. Needs to be harmonious and fit in. There would be flooding, traffic, drainage is a problem.

Mr. Hoffman closed the public hearing at 7:50 p.m.

4. **(#3 renumbered and moved after former #4) Consideration and possible action concerning:**  
application from Inker Landing, LLC (Russ Walker) and Windrose Land Services, Inc. for a variance from the City’s subdivision regulations, specifically Section 9.103 (I)(1)(ii)(B) Location of Subdivisions, minimum width, radial lots, of the Code of Ordinances for Lot 23, Block 3 of the Ruvern Village, in the AH Osbourne Survey, Abstract No. 610, Harris County, Texas bearing the address of 1213 Tamy Lane.

Mr. Hoffman asked Mr. Smith what variance is being requested. Mr. Smith went to ordinance Section 9.103 (I)(1)(li)(B) which describes a typical Spring Valley Village lot which is a rectangle. Then it goes on to describe specialty lots: corner lots, cul-de-sac, pie shape, radial lots which are not cul-de-sac lots as those narrow as you go back. There is a 10,000 square foot flood easement on the property which came from the former owner. HCAD measurements of 27,971 square feet were incorrect; 23, 826 square feet is the actual lot measurement.

Mr. Calderwood asked about the flood easement on the property. Mr. Meadows said the easement came from Village Oaks and not out of the lots in question. Mr. Hoffman asked how the former owner documented the unusable land. Mr. Meadows said he could not say what the former owner had as documentation. Ms. McMichael said that what is on the record has to be taken into account. There will be delivery trucks, garbage trucks, etc. as far as traffic goes. Two major limbs on the tree have to come out. She noted that the road has to be constructed. She asked what is plan for tree pruning. Mr. Sears responded that two limbs need to be pruned. He said that HCAD records need to be corrected. Ms. McMichael said that her issues with the lot variance request are: lot configuration, property has flooded, drainage issue, needs flood mitigation and she cannot approve. Mr. Hoffman spoke about the undeveloped ROW and the tree issue. Mr. Sears said that regarding the parking/traffic issue is that there will be a two car garage and one can put four cars on the driveway should there be an event at the house. Mr. Calderwood said his comments echoed the others.

Ms. McMichael made a negative recommendation on the item. Mr. Calderwood seconded the motion. The negative recommendation carried 5 to 0.

5. **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.

Ms. McMichael made a motion to recommend denial on this item. Mr. Calderwood seconded the motion. The motion to recommend denial carried 5 to 0.

6. **Briefing, discussion and possible direction concerning:** review of the provisions of Section 11:01.05, permitted locations, of Chapter 12, Planning and Zoning, of the Code of Ordinances particularly related to fences and walls in front yards, the definition of accessory structure currently included in the zoning regulations, and possible development of a definition of a primary structure to be included in the zoning regulations.

Mr. Meadows explained this item which has to do with fences, walls in the front yard in front of the primary structure. The City knows the intent but needs to add verbiage regarding "accessory structure" and front yard fences to ensure that the intent is incorporated into the regulations adopted by the City. Mr. Smith said that the house on Krist got approved as the wall was an integral part of the house. Mr. Hoffman noted that the City has an open yard, friendly look and feel versus a bunker mentality. He also mentioned the width of the garage with respect to the ordinance. Mr. Calderwood asked if the front door has to face the street. The answer is "no." Kevin Taylor, a consultant explained some of these house designs. Mr. Smith will review the ordinance with respect to the comments.

- 7. Discussion and direction concerning:** the activities of the City Council during the September 22, 2020 meeting regarding Planning & Zoning Commission matters.

Mr. Smith said that the following two P&Z items were approved by City Council: PAD at I-10 and Campbell set a construction commencement date of no later than December 31, 2020 and re-plat of Bade Street Reserve.

**8. Adjournment**

Mr. Calderwood made a motion to adjourn. Ms. McMichael seconded the motion. The motion carried 5 to 0. The meeting was adjourned at 8:44 p.m.

Signed: \_\_\_\_\_

W. K. (Trey) Hoffman, Chairman

Attest: \_\_\_\_\_

Louise Richman, Secretary

**City of Spring Valley Village  
Planning and Zoning Commission  
Agenda Item Data Sheet**

**MEETING DATE:** December 8, 2020

|               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>TOPIC:</b> | <b>CONDUCT A PUBLIC HEARING CONCERNING:</b><br><br>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 FULLY-EXECUTED LEASES FOR AT LEAST 50% OF THE TOTAL BUILDING SQUARE FOOTAGE FOR THE DEVELOPMENT APPROVED BY ORDINANCE NO. 2018-28, AND PROVIDE PROOF TO THE CITY OF SUCH LEASES, NO LATER THAN DECEMBER 31, 2021; 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. |
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| <b>BACKGROUND:</b> | <p>On October 23, 2018, the City Council approved the development of the property at the Northwest intersection of I-10 and Campbell Road (“Development”), and Ordinance No. 2018-28 approved for the Development included a requirement that construction on the Development must commence within eight (8) months of final approval by the City Council. The initial deadline for construction on the Development to commence was June 23, 2019.</p> <p>Over the next two years, Developer Richard Barbles requested extensions of the deadline from the City Council that were verbally granted. However, movement toward meeting the deadline was not occurring.</p> <p>Consequently, on September 22, 2020, the City Council approved Ordinance No. 2020-26 in order to formalize the extension approved on March 24, 2020, and clearly establish that, in the event construction does not start prior to December 31, 2020, then the Developer must submit a new application for PAD approval for the Development and go through the formal process.</p> <p>In early October, City Administrator Julie Robinson learned that one of the original partners of the Wellington Stream project was</p> |
|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**City of Spring Valley Village  
Planning and Zoning Commission  
Agenda Item Data Sheet**

in the process of buying out Stream Realty and would be taking over the project. Ms. Robinson and I met with the new developer to discuss what their plans were for the project, and, because they have a significant amount of money invested in the land and construction plans, they have a vested interest in getting the project started. They are currently working with Transwestern to recruit tenants in the medical/healthcare industry for the building, and Ms. Robinson and I have been and will continue to work with the developer to help recruit potential tenants.

Based on our continuing discussions and the work that is currently being done to actively recruit tenants for the project, the City has agreed to revise the deadline of the PAD Ordinance to base it on obtaining fully-executed leases for at least 50% of the total building square footage, and provide proof to the City of such leases, on or before December 31, 2021. This will allow the new developer a reasonable amount of time to recruit and get leases executed which will subsequently allow them to finalize their construction financing. We will be working closely with them over the next year to help bring this project to fruition.

The proposed Ordinance would revise the deadline of the PAD Ordinance as follows:

“K. Owner shall obtain fully-executed leases for at least 50% of the total building square footage, and provide proof to the City of such leases, on or before December 31, 2021. Failure to do so will result in the immediate repeal of this and all other Planned Area Development (PAD) ordinances affecting this property, including, but not limited to, Ordinance No. 2009-12 adopted August 25, 2009, Ordinance No. 2013-25 adopted December 17, 2013, Ordinance No. 2018-11 adopted June 26, 2018, Ordinance No. 2018-28 adopted October 23, 2018.....”

**RECOMMENDATION:** Not Applicable

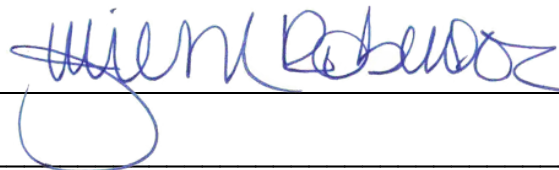
**ATTACHMENTS:**

- Proposed Ordinance No. 2020-XX
- Copy of Published Notice of Public Hearing
- Copy of Notice of Public Hearing Letters and Mailing Labels for Property Owners Within 200 Feet of Property

**SUBMITTING STAFF MEMBER:**

Zachary Meadows, Director of  
Community Development

**CITY ADMINISTRATOR APPROVAL:**



**ORDINANCE NO. 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 FULLY-EXECUTED LEASES FOR AT LEAST 50% OF THE TOTAL BUILDING SQUARE FOOTAGE FOR THE DEVELOPMENT APPROVED BY ORDINANCE NO. 2018-28, AND PROVIDE PROOF TO THE CITY OF SUCH LEASES, NO LATER THAN DECEMBER 31, 2021; 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.**

\* \* \* \* \*

WHEREAS, Wellington Fidelis Campbell I LP (the “owner”), owns a 2.5511 acre tract of land, more or less, being identified as the property at the northwest corner of the intersection of I-10 and Campbell Road (the “property”) within the corporate limits of the City of Spring Valley Village, Texas, the tract of land being more particularly described in Exhibit “A” attached hereto and made a part hereof for all purposes; and

WHEREAS, the property is presently zoned Freeway Planned Area Development District (“FPADD”) and is a property within the “FPADD Overlay District” (“overlay district”) pursuant to the City’s Zoning Ordinance, as amended; and

WHEREAS, the City Council adopted Ordinance 2018-28 on October 23, 2018, which approved a planned area development (“PAD”) within the FPADD in order to allow for the construction, operation and use of one (1) five (5) story professional building with a seven (7) level parking garage; and

WHEREAS, the City desires to amend Ordinance No. 2018-28 to require fully-executed leases for at least 50% of the total building square footage for the development approved therein, and provide proof to the City of such leases, no later than December 31, 2021; and

WHEREAS, the Planning and Zoning Commission and the City Council have conducted, in the time and manner required by law and the Zoning Ordinance of the City, a public hearing on the proposed amendments PAD ordinance for the 2.5511 acre tract at the northwest corner of I-10 and Campbell Road; and

WHEREAS, the City Council has considered the report of the Commission; and

WHEREAS, the City Council now deems it appropriate to adopt the amendments and to approve certain changes as an amendment to the City's Zoning Ordinance as provided herein;

**NOW, THEREFORE,**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THAT:**

**Section 1.** The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

**Section 2.** The application of the City for amendments to Ordinance 2018-28 adopting a planned area development for the 2.5511 acre tract at the northwest corner of I-10 and Campbell Road is hereby approved subject to the regulations, restrictions, terms and conditions hereinafter set forth.

**Section 3.** This ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City, save and except the regulations,

restrictions, terms and conditions provided for herein. When a conflict exists between the Comprehensive Zoning Ordinance and this ordinance, this ordinance shall prevail.

**Section 4.** Ordinance 2018-28, adopted October 23, 2018, adopting the planned area development use is hereby amended by deleting therefrom the language struck through below and adding the language underscored below as follows:

“ **Section 5.** The planned area development use authorized and permitted hereby shall be, and is, subject to the following additional limitations, restrictions and covenants:

. . . . .

“K. ~~Owner shall begin construction~~ Owner shall obtain fully-executed leases for at least 50% of the total building square footage, and provide proof to the City of such leases, on or before December 31, 2021. Failure to do so will result in the immediate repeal of this and all other Planned Area Development (PAD) ordinances affecting this property, including, but not limited to, Ordinance No. 2009-12 adopted August 25, 2009, Ordinance No. 2013-25 adopted December 17, 2013, Ordinance No. 2018-11 adopted June 26, 2018, Ordinance No. 2018-28 adopted October 23, 2018.. . . . .”

**Section 5.** In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance as a whole or any part or provision hereof other any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of

Spring Valley Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

**Section 6.** Any person who shall violate any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

**Section 7.** Attached to this ordinance are the following documents:

Exhibit A: Legal Description;

ADOPTED this \_\_\_\_\_ of \_\_\_\_\_, 2020.

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Marcus Vajdos, Mayor  
City of Spring Valley Village, Texas

ATTEST:

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Roxanne Benitez, City Secretary  
City of Spring Valley Village, Texas

## **EXHIBIT “A” – LEGAL DESCRIPTION**

RESERVE A BLOCK 1 CHURCH OF NAZARENE

DIVIDER PAGE

**PUBLIC NOTICE  
CITY OF SPRING VALLEY VILLAGE, TEXAS  
NOTICE OF PUBLIC HEARING**

**Notice Is Hereby Given To Hear Comments And Testimony Concerning The Following:**

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 FULLY-EXECUTED LEASES FOR AT LEAST 50% OF THE TOTAL BUILDING SQUARE FOOTAGE FOR THE DEVELOPMENT APPROVED BY ORDINANCE NO. 2018-28, AND PROVIDE PROOF TO THE CITY OF SUCH LEASES, NO LATER THAN DECEMBER 31, 2021; 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.

The **Planning and Zoning Commission** of the City of Spring Valley Village will hold a public hearing regarding this request to provide all interested parties the right to appear and request information on:

**Date:** Tuesday, December 8, 2020

**Time:** 7:00 p.m.

**Location:** Council Chambers  
Spring Valley Village City Hall  
1025 Campbell Road  
Houston, TX 77055

The **City Council** of the City of Spring Valley Village will hold a public hearing regarding this request to provide all interested parties the right to appear and request information on:

**Date:** Tuesday, December 15, 2020

**Time:** 6:00 p.m.

**Location:** Council Chambers  
Spring Valley Village City Hall  
1025 Campbell Road  
Houston, TX 77055

**For additional information regarding these public hearings, please contact the Director of Community Development, Zachary Meadows at (713) 465-8308.**

DIVIDER PAGE



EST. 1955

# SPRING VALLEY V I L L A G E

November 20, 2020

Dear Property Owner:

**Notice Is Hereby Given To Hear Comments And Testimony Regarding The Following Proposed Ordinance:**

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 FULLY-EXECUTED LEASES FOR AT LEAST 50% OF THE TOTAL BUILDING SQUARE FOOTAGE FOR THE DEVELOPMENT APPROVED BY ORDINANCE NO. 2018-28, AND PROVIDE PROOF TO THE CITY OF SUCH LEASES, NO LATER THAN DECEMBER 31, 2021; 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.

The **Planning and Zoning Commission** of the City of Spring Valley Village will hold a public hearing regarding this request to provide all interested parties the right to appear and request information on:

**Date:** Tuesday, December 8, 2020

**Time:** 7:00 p.m.

**Location:** Council Chambers of Spring Valley Village City Hall, 1025 Campbell Road

The **City Council** of the City of Spring Valley Village will hold a public hearing regarding this request to provide all interested parties the right to appear and request information on:

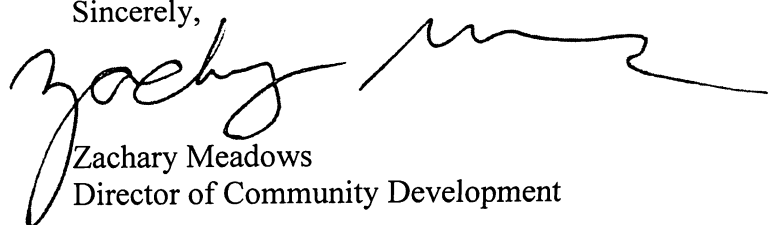
**Date:** Tuesday, December 15, 2020

**Time:** 6:00 p.m.

**Location:** Council Chambers of Spring Valley Village City Hall, 1025 Campbell Road

This notice is being sent to you as current property records indicate that you own property in close proximity to 1001 Campbell Road. All interested parties are invited to attend both public hearings and will have the opportunity to be heard. For further information, please contact me at (832) 910-8577 or [zmeadows@springvalleytx.com](mailto:zmeadows@springvalleytx.com).

Sincerely,



Zachary Meadows  
Director of Community Development

Khalaf Bisher & Katia Chanin  
1 Pecan Trail Lane  
Houston, Texas 77055

Jonathan & Shelby Lindenberger  
3 Pecan Trail Lane  
Houston, Texas 77055

Current Owner  
12335 Kingsride Lane, Suite 426  
Houston, Texas 77024-4116

THIS NOTICE IS IN REGARDS  
TO YOUR PROPERTY AT:  
1012 CAMPBELL ROAD  
HOUSTON, TEXAS 77055

Larry & Rachel Stinson  
1015 Lone Star Drive  
Houston, Texas 77055

Current Owner  
1016 Lone Star Drive  
Houston, Texas 77055

Dudley & Linda Babin  
1019 Lone Star Drive  
Houston, Texas 77055

Christopher & Diana Delaup  
1020 Lone Star Drive  
Houston, Texas 77055

Linda Gibson  
1015 Loeser Drive  
Houston, Texas 77055

Linda Gibson  
1036 Teresa Drive  
Houston, Texas 77055

THIS NOTICE IS IN REGARDS  
TO YOUR PROPERTY AT:  
1015 LOESER DRIVE  
HOUSTON, TEXAS 77055

Jonathan & Emily Goolsby  
1019 Loeser Drive  
Houston, Texas 77055

Stephanie & Keith Koronka  
9013 West Tex Drive  
Houston, Texas 77055

Jonathan Marcantel  
9017 West Tex Drive  
Houston, Texas 77055

Campbell Project Partners LLC  
9801 Westheimer Road, Suite 250  
Houston, Texas 77042-3951

THIS NOTICE IS IN REGARDS  
TO YOUR PROPERTY AT:  
1090 KATY FREEWAY  
HOUSTON, TEXAS 77055

Stream Wellington LLC  
3040 Post Oak Blvd., Suite 600  
Houston, Texas 77056-6577

THIS NOTICE IS IN REGARDS  
TO YOUR PROPERTY AT:  
1001 KATY FREEWAY  
HOUSTON, TEXAS 77055

Texas Dept. of Transportation  
Parcel 56  
P.O. Box 1386  
Houston, Texas 77251-1386

THIS NOTICE IS IN REGARDS  
TO YOUR PROPERTY AT:  
9018 LARIAT DRIVE  
HOUSTON, TEXAS 77055

Texas Dept. of Transportation  
Parcel 57  
P.O. Box 1386  
Houston, Texas 77251-1386

THIS NOTICE IS IN REGARDS  
TO YOUR PROPERTY AT:  
1014 LARIAT DRIVE  
HOUSTON, TEXAS 77055

**City of Spring Valley Village  
Planning and Zoning Commission  
Agenda Item Data Sheet**

**MEETING DATE:** December 8, 2020

**TOPIC:** **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 FULLY-EXECUTED LEASES FOR AT LEAST 50% OF THE TOTAL BUILDING SQUARE FOOTAGE FOR THE DEVELOPMENT APPROVED BY ORDINANCE NO. 2018-28, AND PROVIDE PROOF TO THE CITY OF SUCH LEASES, NO LATER THAN DECEMBER 31, 2021; 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.**

**BACKGROUND:** In the previous agenda item, the Planning and Zoning Commission conducted a public hearing on a revision to the PAD Extension for the Planned Area Development for the property at the intersection of I-10 and Campbell Road.

If approved, this Ordinance would implement the City-initiated revision of the deadline of the PAD Ordinance to base it on obtaining fully-executed leases for at least 50% of the total building square footage, and provide proof to the City of such leases, on or before December 31, 2021 and would retain the automatic repeal of the approved PAD Ordinance if the deadline is not met.

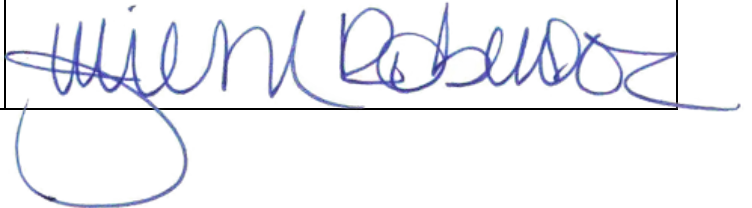
**RECOMMENDATION:** Staff recommends approval of the Ordinance

**ATTACHMENTS:** • Ordinance No. 2020-XX

**SUBMITTING STAFF MEMBER:**

Zachary Meadows, Director of  
Community Development

**CITY ADMINISTRATOR APPROVAL:**



**ORDINANCE NO. 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 FULLY-EXECUTED LEASES FOR AT LEAST 50% OF THE TOTAL BUILDING SQUARE FOOTAGE FOR THE DEVELOPMENT APPROVED BY ORDINANCE NO. 2018-28, AND PROVIDE PROOF TO THE CITY OF SUCH LEASES, NO LATER THAN DECEMBER 31, 2021; 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.**

\* \* \* \* \*

WHEREAS, Wellington Fidelis Campbell I LP (the “owner”), owns a 2.5511 acre tract of land, more or less, being identified as the property at the northwest corner of the intersection of I-10 and Campbell Road (the “property”) within the corporate limits of the City of Spring Valley Village, Texas, the tract of land being more particularly described in Exhibit “A” attached hereto and made a part hereof for all purposes; and

WHEREAS, the property is presently zoned Freeway Planned Area Development District (“FPADD”) and is a property within the “FPADD Overlay District” (“overlay district”) pursuant to the City’s Zoning Ordinance, as amended; and

WHEREAS, the City Council adopted Ordinance 2018-28 on October 23, 2018, which approved a planned area development (“PAD”) within the FPADD in order to allow for the construction, operation and use of one (1) five (5) story professional building with a seven (7) level parking garage; and

WHEREAS, the City desires to amend Ordinance No. 2018-28 to require fully-executed leases for at least 50% of the total building square footage for the development approved therein, and provide proof to the City of such leases, no later than December 31, 2021; and

WHEREAS, the Planning and Zoning Commission and the City Council have conducted, in the time and manner required by law and the Zoning Ordinance of the City, a public hearing on the proposed amendments PAD ordinance for the 2.5511 acre tract at the northwest corner of I-10 and Campbell Road; and

WHEREAS, the City Council has considered the report of the Commission; and

WHEREAS, the City Council now deems it appropriate to adopt the amendments and to approve certain changes as an amendment to the City's Zoning Ordinance as provided herein;

**NOW, THEREFORE,**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THAT:**

**Section 1.** The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

**Section 2.** The application of the owner of the 2.5511 acre tract at the northwest corner of I-10 and Campbell Road for amendments to Ordinance 2018-28 adopting a planned area development is hereby approved subject to the regulations, restrictions, terms and conditions hereinafter set forth.

**Section 3.** This ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City, save and except the regulations,

restrictions, terms and conditions provided for herein. When a conflict exists between the Comprehensive Zoning Ordinance and this ordinance, this ordinance shall prevail.

**Section 4.** Ordinance 2018-28, adopted October 23, 2018, adopting the planned area development use is hereby amended by deleting therefrom the language struck through below and adding the language underscored below as follows:

“ **Section 5.** The planned area development use authorized and permitted hereby shall be, and is, subject to the following additional limitations, restrictions and covenants:

. . . . .

“K. ~~Owner shall begin construction~~ Owner shall obtain fully-executed leases for at least 50% of the total building square footage, and provide proof to the City of such leases, on or before December 31, 2021. Failure to do so will result in the immediate repeal of this and all other Planned Area Development (PAD) ordinances affecting this property, including, but not limited to, Ordinance No. 2009-12 adopted August 25, 2009, Ordinance No. 2013-25 adopted December 17, 2013, Ordinance No. 2018-11 adopted June 26, 2018, Ordinance No. 2018-28 adopted October 23, 2018.. . . . .”

**Section 5.** In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance as a whole or any part or provision hereof other any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of

Spring Valley Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

**Section 6.** Any person who shall violate any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

**Section 7.** Attached to this ordinance are the following documents:

Exhibit A: Legal Description;

ADOPTED this \_\_\_\_\_ of \_\_\_\_\_, 2020.

---

Marcus Vajdos, Mayor  
City of Spring Valley Village, Texas

ATTEST:

---

Roxanne Benitez, City Secretary  
City of Spring Valley Village, Texas

## **EXHIBIT “A” – LEGAL DESCRIPTION**

RESERVE A BLOCK 1 CHURCH OF NAZARENE

**City of Spring Valley Village  
Planning and Zoning Commission  
Agenda Item Data Sheet**

**MEETING DATE:** December 8, 2020

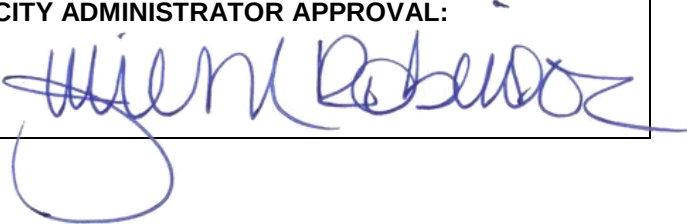
|                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>TOPIC:</b>          | <p><b>CONDUCT A PUBLIC HEARING CONCERNING:</b></p> <p><b>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 OUTDOOR PATIO DINING BETWEEN THE HOURS OF 6:00 A.M. AND 12:00 A.M.; 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.</b></p>                                                                                                                                                                                                                                                                                                        |
| <b>BACKGROUND:</b>     | <p>As the Commission may or may not be aware, Jonathon’s The Rub will be relocating its Hedwig Village original location to the restaurant space at 9090 Katy Freeway previously occupied by Peli Peli. Jonathon’s The Rub is planning to offer outdoor patio dining on the west side of the building where Peli Peli also offered outdoor dining. To ensure that this could be done without any issues, City staff reviewed the Ersä Grae Planned Area Development (“ Ersä Grae PAD”) that was originally approved for this development and found that, while restaurants are a permitted use, there is no language to clearly allow outdoor patio dining.</p> <p>Previously adopted PAD ordinances have allowed for outdoor dining within specific hours while also restricting other outdoor use and storage. Consequently, City staff proposes that the Ersä Grae PAD be amended to include the following language:</p> <p>“Outdoor patio dining hours shall be permitted between the hours of 6:00 a.m. and 12:00 a.m.”</p> <p>The proposed language mirrors the language adopted in other PAD ordinances.</p> |
| <b>RECOMMENDATION:</b> | Not Applicable in the Public Hearing                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>ATTACHMENTS:</b>    | <ul style="list-style-type: none"> <li>Proposed Ordinance No. 2020-XX</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

**ACTIONS TAKEN**

|                                                                                          |                              |                     |
|------------------------------------------------------------------------------------------|------------------------------|---------------------|
| <p><b>APPROVAL</b></p> <p><input type="checkbox"/> YES   <input type="checkbox"/> NO</p> | <p><b>READING PASSED</b></p> | <p><b>OTHER</b></p> |
|------------------------------------------------------------------------------------------|------------------------------|---------------------|

**City of Spring Valley Village  
Planning and Zoning Commission  
Agenda Item Data Sheet**

|                                                                                                                                                                                                                   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>Copy of Published Notice of Public Hearing</li> <li>Copy of Notice of Public Hearing Letters and Mailing Labels for Property Owners Within 200 Feet of Property</li> </ul> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                                                                              |                                                                                                                           |
|----------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|
| <b>SUBMITTING STAFF MEMBER:</b><br><br>Zachary Meadows, Director of<br>Community Development | <b>CITY ADMINISTRATOR APPROVAL:</b><br> |
|----------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|

| <b>ACTIONS TAKEN</b>                                                        |                       |              |
|-----------------------------------------------------------------------------|-----------------------|--------------|
| <b>APPROVAL</b><br><input type="checkbox"/> YES <input type="checkbox"/> NO | <b>READING PASSED</b> | <b>OTHER</b> |

**ORDINANCE NO. 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 OUTDOOR PATIO DINING BETWEEN THE HOURS OF 6:00 A.M. AND 12:00 A.M.; 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.**

\* \* \* \* \*

WHEREAS, Campbell Project Partners, LLC (the “owner”), owns a 2.3816 acre tract of land, more or less, being identified as the property at the northeast corner of the intersection of I-10 and Campbell Road (the “property”) within the corporate limits of the City of Spring Valley Village, Texas, the tract of land being more particularly described in Exhibit “A” attached hereto and made a part hereof for all purposes; and

WHEREAS, the property is presently zoned Freeway Planned Area Development District (“FPADD”) and is a property within the “FPADD Overlay District” (“overlay district”) pursuant to the City’s Zoning Ordinance, as amended; and

WHEREAS, the City Council adopted Ordinance 2014-12, which approved a planned area development (“PAD”) within the FPADD in order to allow for the construction, operation and use of a five story office retail building with attached split-level parking; and

WHEREAS, the City desires to amend Ordinance 2014-12 to allow outdoor patio dining between the hours of 6:00 a.m. and 12:00 a.m.; and

WHEREAS, the Planning and Zoning Commission and the City Council have conducted, in the time and manner required by law and the Zoning Ordinance of the City, a public hearing on the proposed amendments for the 2.38 acre tract at the northeast corner of I-10 and Campbell Road; and

WHEREAS, the City Council has considered the report of the Commission; and

WHEREAS, the City Council now deems it appropriate to adopt the amendments and to approve certain changes as an amendment to the City's Zoning Ordinance as provided herein; now, therefore,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THAT:**

**Section 1.** The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

**Section 2.** The application of the City for amendments to Ordinance 2014-12 adopting a planned area development for the 2.38 acre tract at the northeast corner of I-10 and Campbell Road is hereby approved subject to the regulations, restrictions, terms and conditions hereinafter set forth.

**Section 3.** This ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City, save and except the regulations, restrictions, terms and conditions provided for herein. When a conflict exists between the Comprehensive Zoning Ordinance and this ordinance, this ordinance shall prevail.

**Section 4.** Ordinance 2014-12 adopting the planned area development use is hereby amended by deleting therefrom the language struck through below and adding the language underscored below as follows:

**Section 5.** The planned area development use authorized and permitted hereby shall be, and is, subject to the following additional limitations, restrictions and covenants:

.....

D. Occupancy/Use.

.....

4. Outdoor uses restricted. Except as expressly provided above, the property shall not have operating hours outside 7:00 a.m. and 2:00 a.m. Monday – Saturday and outside 8:00 a.m. to 12:00 a.m. on Sundays. Outdoor patio dining shall be permitted between the hours of 6:00 a.m. and 12:00 a.m. Outdoor storage and outdoor displays are prohibited”

**Section 5.** In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance as a whole or any part or provision hereof other any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Spring Valley Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

**Section 6.** Any person who shall intentionally, knowingly, recklessly or with criminal negligence violate any provision of this ordinance shall be deemed guilty of a

misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000.  
Each day of violation shall constitute a separate offense.

**Section 7.** Attached to this ordinance are the following documents:

Exhibit A: Legal Description;

ADOPTED this \_\_\_\_\_ of \_\_\_\_\_, 2020.

---

Marcus Vajdos, Mayor  
City of Spring Valley Village, Texas

ATTEST:

---

Roxanne Benitez, City Secretary  
City of Spring Valley Village, Texas

## **EXHIBIT “A” – LEGAL DESCRIPTION**

Tracts 12A and 12B situated in the A.H. Osborne Survey, Abstract 610, totaling approximately 2.38 acres, otherwise described as 1000 and 1010 Campbell Rd., Houston, TX 77055.

DIVIDER PAGE

**PUBLIC NOTICE  
CITY OF SPRING VALLEY VILLAGE, TEXAS  
NOTICE OF PUBLIC HEARING**

**Notice Is Hereby Given To Hear Comments And Testimony Concerning The Following:**

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 OUTDOOR PATIO DINING BETWEEN THE HOURS OF 6:00 A.M. AND 12:00 A.M.; 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.

The **Planning and Zoning Commission** of the City of Spring Valley Village will hold a public hearing regarding this request to provide all interested parties the right to appear and request information on:

**Date:** Tuesday, December 8, 2020

**Time:** 7:00 p.m.

**Location:** Council Chambers  
Spring Valley Village City Hall  
1025 Campbell Road  
Houston, TX 77055

The **City Council** of the City of Spring Valley Village will hold a public hearing regarding this request to provide all interested parties the right to appear and request information on:

**Date:** Tuesday, December 15, 2020

**Time:** 6:00 p.m.

**Location:** Council Chambers  
Spring Valley Village City Hall  
1025 Campbell Road  
Houston, TX 77055

**For additional information regarding these public hearings, please contact the Director of Community Development, Zachary Meadows at (713) 465-8308.**

DIVIDER PAGE



EST. 1955  
**SPRING VALLEY**  
V I L L A G E

November 20, 2020

Dear Property Owner:

**Notice Is Hereby Given To Hear Comments And Testimony Regarding The Following Proposed Ordinance:**

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 OUTDOOR PATIO DINING BETWEEN THE HOURS OF 6:00 A.M. AND 12:00 A.M.; 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.

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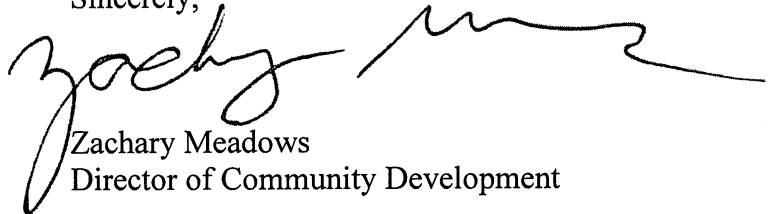
**Date:** Tuesday, December 15, 2020

**Time:** 6:00 p.m.

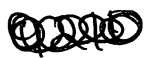
**Location:** Council Chambers of Spring Valley Village City Hall, 1025 Campbell Road

This notice is being sent to you as current property records indicate that you own property in close proximity to 9090 Katy Freeway. All interested parties are invited to attend both public hearings and will have the opportunity to be heard. For further information, please contact me at (832) 910-8577 or [zmeadows@springvalleytx.com](mailto:zmeadows@springvalleytx.com).

Sincerely,



Zachary Meadows  
Director of Community Development



9040

Katy

Étiquette de format 25 mm x 67 mm compatible avec Avery®5160/8160  
label size 1" x 2 5/8" compatible with Avery®5160/8160



Paul & Maria King  
9135 Penn Manor Court  
Houston, Texas 77055

Thomas & Hermina Shoffner  
1102 Anne Street  
Houston, Texas 77055

Bisher Khalaf & Katia Chanin  
1 Pecan Trail Lane  
Houston, Texas 77055

Jonathan & Shelby Lindenberger  
3 Pecan Trail Lane  
Houston, Texas 77055

Current Owner  
5 Pecan Trail Lane  
Houston, Texas 77055

Gary & Norma Moore  
7 Pecan Trail Lane  
Houston, Texas 77055

Indranil Chakrabarti &  
Anaya Sarkar  
11 Pecan Trail Lane  
Houston, Texas 77055

Current Owner  
16 Pecan Trail Lane  
Houston, Texas 77055

Managed Rehabilitation Inc.  
9180 Katy Freeway #200  
Houston, Texas 77055

Campbell Project Partners, Inc.  
9801 Westheimer Rd, Suite 250  
Houston, Texas 77042

THIS NOTICE IS IN REGARDS  
TO YOUR PROPERTY AT:  
9090 KATY FREEWAY  
HOUSTON, TEXAS 77055

Memorial Designs  
1010 Campbell Road  
Houston, Texas 77055

Current Owner  
1012 Campbell Road  
Houston, Texas 77055

Current Owner  
12335 Kingsride Lane, Suite 426  
Houston, Texas 77024

THIS NOTICE IS IN REGARDS  
TO YOUR PROPERTY AT:  
1012 CAMPBELL ROAD  
HOUSTON, TEXAS 77055

Campbell Medical Group  
1012 Campbell Road  
Houston, Texas 77055

Pizza Fino  
1020 Campbell Road  
Houston, Texas 77055



**City of Spring Valley Village  
Planning and Zoning Commission  
Agenda Item Data Sheet**

**MEETING DATE:** December 8, 2020

**TOPIC:** **ORDINANCE NO. 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 OUTDOOR PATIO DINING BETWEEN THE HOURS OF 6:00 A.M. AND 12:00 A.M.; 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.**

**BACKGROUND:** In the previous agenda item, the Planning and Zoning Commission conducted a public hearing on a proposed amendment of the PAD approved for the property at 9090 Katy Freeway on the northeast corner of I-10 and Campbell Road.

If approved, this Ordinance would implement the City-initiated amendment of the PAD to allow for outdoor patio dining between the hours of 6:00 am and 12:00 am.

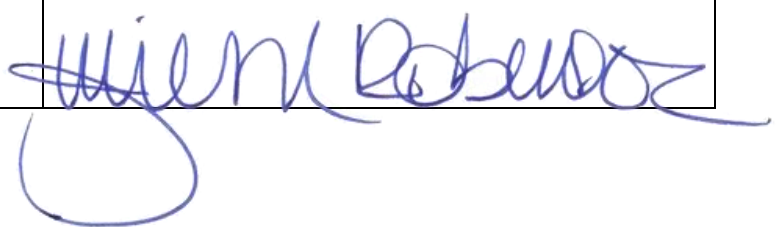
**RECOMMENDATION:** Staff recommends approval of the Ordinance.

**ATTACHMENTS:** • Ordinance No. 2020-XX

**SUBMITTING STAFF MEMBER:**

Zachary Meadows, Director of  
Community Development

**CITY ADMINISTRATOR APPROVAL:**



**ORDINANCE NO. 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 OUTDOOR PATIO DINING BETWEEN THE HOURS OF 6:00 A.M. AND 12:00 A.M.; 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.**

\* \* \* \* \*

WHEREAS, Campbell Project Partners, LLC (the “owner”), owns a 2.3816 acre tract of land, more or less, being identified as the property at the northeast corner of the intersection of I-10 and Campbell Road (the “property”) within the corporate limits of the City of Spring Valley Village, Texas, the tract of land being more particularly described in Exhibit “A” attached hereto and made a part hereof for all purposes; and

WHEREAS, the property is presently zoned Freeway Planned Area Development District (“FPADD”) and is a property within the “FPADD Overlay District” (“overlay district”) pursuant to the City’s Zoning Ordinance, as amended; and

WHEREAS, the City Council adopted Ordinance 2014-12, which approved a planned area development (“PAD”) within the FPADD in order to allow for the construction, operation and use of a five story office retail building with attached split-level parking; and

WHEREAS, the City desires to amend Ordinance 2014-12 to allow outdoor patio dining between the hours of 6:00 a.m. and 12:00 a.m.; and

WHEREAS, the Planning and Zoning Commission and the City Council have conducted, in the time and manner required by law and the Zoning Ordinance of the City, a public hearing on the proposed amendments for the 2.38 acre tract at the northeast corner of I-10 and Campbell Road; and

WHEREAS, the City Council has considered the report of the Commission; and

WHEREAS, the City Council now deems it appropriate to adopt the amendments and to approve certain changes as an amendment to the City's Zoning Ordinance as provided herein; now, therefore,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THAT:**

**Section 1.** The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

**Section 2.** The application of the City for amendments to Ordinance 2014-12 adopting a planned area development for the 2.38 acre tract at the northeast corner of I-10 and Campbell Road is hereby approved subject to the regulations, restrictions, terms and conditions hereinafter set forth.

**Section 3.** This ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City, save and except the regulations, restrictions, terms and conditions provided for herein. When a conflict exists between the Comprehensive Zoning Ordinance and this ordinance, this ordinance shall prevail.

**Section 4.** Ordinance 2014-12 adopting the planned area development use is hereby amended by deleting therefrom the language struck through below and adding the language underscored below as follows:

**Section 5.** The planned area development use authorized and permitted hereby shall be, and is, subject to the following additional limitations, restrictions and covenants:

.....

D. Occupancy/Use.

.....

4. Outdoor uses restricted. Except as expressly provided above, the property shall not have operating hours outside 7:00 a.m. and 2:00 a.m. Monday – Saturday and outside 8:00 a.m. to 12:00 a.m. on Sundays. Outdoor patio dining shall be permitted between the hours of 6:00 a.m. and 12:00 a.m. Outdoor storage and outdoor displays are prohibited”

**Section 5.** In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance as a whole or any part or provision hereof other any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Spring Valley Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

**Section 6.** Any person who shall intentionally, knowingly, recklessly or with criminal negligence violate any provision of this ordinance shall be deemed guilty of a

misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000.  
Each day of violation shall constitute a separate offense.

**Section 7.** Attached to this ordinance are the following documents:

Exhibit A: Legal Description;

ADOPTED this \_\_\_\_\_ of \_\_\_\_\_, 2020.

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Marcus Vajdos, Mayor  
City of Spring Valley Village, Texas

ATTEST:

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Roxanne Benitez, City Secretary  
City of Spring Valley Village, Texas

## **EXHIBIT “A” – LEGAL DESCRIPTION**

Tracts 12A and 12B situated in the A.H. Osborne Survey, Abstract 610, totaling approximately 2.38 acres, otherwise described as 1000 and 1010 Campbell Rd., Houston, TX 77055.