



**Planning & Zoning
Commission Meeting
July 13, 2021
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, July 13, 2021 at 7:00 P.M.

SUPPLEMENTAL NOTICE OF MEETING BY TELEPHONE CONFERENCE

In accordance with order of the Office of the Governor, the Planning & Zoning Commission of the City of Spring Valley Village will conduct the meeting scheduled at 7:00 p.m. on Tuesday, July 13, 2021 in the City Hall Council Chambers, located at 1025 Campbell Road, in part by telephone conference.

The meeting agenda and agenda packet are posted online at www.springvalleytx.com.

The video link to this meeting is <https://us02web.zoom.us/j/83491100094>

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: 834 9110 0094 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 March 9, 2021
- 3. CONDUCT A PUBLIC HEARING CONCERNING:** Ordinance No. 2021-XX: AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS GRANTING A SPECIFIC USE PERMIT FOR PROPERTY LOCATED AT 1010 BADE STREET WITHIN THE CORPORATE LIMITS OF THE CITY OF SPRING VALLEY VILLAGE FOR USE OF THE PROPERTY FOR SPORTS AND RECREATION INSTRUCTION;

PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION; AND PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

- A. Presentation of Requested Specific Use Permit by Applicant
- B. Those In Favor
- C. Those Opposed
- D. Adjourn Public Hearing

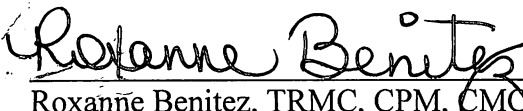
4. CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance No. 2021-XX: AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS GRANTING A SPECIFIC USE PERMIT FOR PROPERTY LOCATED AT 1010 BADE STREET WITHIN THE CORPORATE LIMITS OF THE CITY OF SPRING VALLEY VILLAGE FOR USE OF THE PROPERTY FOR SPORTS AND RECREATION INSTRUCTION; PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION; AND PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

5. DISCUSSION AND POSSIBLE DIRECTION CONCERNING: The Activities of the City Council During the June 22, 2021 Meeting Regarding Planning & Zoning Commission Matters.

6. 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 7th day of July, 2021 at 2:30 p.m. pursuant to the Open Meetings Act, Chapter 551, Texas Government Code.

Attest: 
Roxanne Benitez, TRMC, CPM, CMOC
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 for further information.

Minutes

Planning & Zoning Commission Meeting Minutes
City of Spring Valley Village
Tuesday, March 9, 2021

- 1. The Planning & Zoning Commission meeting was called to order by Chair Trey Hoffman at 7:02 p.m. in the Council Chambers of City Hall, 1025 Campbell Road, Houston, Texas.**

Planning & Zoning Members present at City Hall:

Trey Hoffman, Chair
Patrick Johnson
Charlie Calderwood
Maryellen McGlothlin
Jim Autenreith, Alternate

Planning & Zoning Members present via Zoom:

Louise Richman
John Lisenby

A quorum was present.

City Officials present:

Zach Meadows, Director of Community Development
Matt Hitt, Assistant to City Administrator
Loren Smith, City Attorney

- 2. Approval of meeting minutes for regular meeting January 12, 2021**

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

- 3. Conduct a public hearing concerning:** A preliminary and final plat of Dolphin's Cove Subdivision, a plot containing 2.639 acres of land, situated in the Bingle West Planned Development District (BWPADD), City of Spring Valley Village, Harris County, Texas bearing the address of 1065 Bingle Road.
 - a. Presentation of preliminary and final plat by applicant
 - b. Those in favor
 - c. Those opposed
 - d. Adjourn public hearing

Mr. Hoffman opened the public hearing at 7:02 p.m.

Mr. Meadows spoke about the item and the size of the lots. Mr. Smith said this was a PAD ordinance in 2018. There are issues. City Council approved the PAD ordinance with some stipulations. This is not a reconsideration of the ordinance. It is non-discretionary. Phil Odle with Cobb Fendley has various Dad's Club members with him and they are asking for plat approval.

Public comments: Kyle Sears, 8841 Cavell. This is a bad design, bad layout, 18 foot driveway is a mistake, traffic issues on Bingle with pool people, FedEx, Amazon, etc. Vote against it. Has heartburn with Dad's Club as they never paid property taxes on this piece of property, property was on HCAD as exempt, should have put up the \$'s for taxes lost to the City; Bart Thomeer, no comment; Darren Dahmer, 8707 Green Valley, layout concerns; A. Kazim, 1114 Joshua Lane, his house backs up to road, need fence to keep them safe from the road traffic. Mr. Hoffman said City Council proposed a wall/fence.

Mr. Hoffman closed the public hearing at 7:14 p.m.

- 4. Consideration and possible action concerning:** A preliminary and final plat of Dolphin's Cove Subdivision, a plot containing 2.639 acres of land, situated in the Bingle West Planned Area Development (BWPADD), City of Spring Valley Village, Harris County, Texas bearing the address of 1065 Bingle Road.

Mr. Hoffman said that City Council approved this in November 2018. Planning & Zoning turned it down twice. His further comments and questions involved the following: view easement, brick fence on north side at six feet, entrance and exit with right turn only and extend median, sanitary sewer concerns/issues. Mr. Odle said that these issues will be finalized with the construction.

Comments from P&Z follow:

- Mr. Johnson – no further comments from citizens
- Mr. Hoffman – package from Village Fire Department, would documents change?
- Mr. Odle – made changes to the plans
- Mr. Johnson – lives next door, walked the driveway and it is very narrow
- Mr. Odle – 20' restricted area, no reason to park
- Mr. Johnson – no curb along drive
- M. Odle – wanted a roll down curb but Fire Department did not want that
- Mr. Johnson – talked about Lot 12, any grass/dirt? What will Lot 12 see?
- Mr. Odle – not ideal to have road right up to fence/wall
- Mr. Meadows – would like to have some kind of curb/berm; make sure water hits slope
- Mr. Johnson – concerns involve setback from north side
- Mr. Odle – cannot put together construction plans on paper
- Mr. Johnson – no setback required as this is a PAD
- Mr. Smith – setbacks pertain to buildings, not roads
- Ms. McGlothlin – fence abuts road
- Mr. Odle – detention requirements
- Mr. Calderwood – 35' width, high bank to high bank, hike and bike easements
- Ms. McGlothlin – concerned about streets, traffic, turning on Bingle, then left turn to development, four lots
- Mr. Odle – talked about Bingle traffic per traffic survey
- Mr. Hoffman – discussed traffic engineer's findings, 25', 30' radius; only way to get radius is to cut off neighbor's property. How will this resolved?
- Mr. Odle – connecting up to ROW
- Mr. Hoffman – move it back
- Mr. Odle – that is an issue
- Mr. Hoffman – with median, no left turns; how far to move median; how will that affect fire trucks
- Mr. Odle – sure there is a design that will work
- Mr. Hoffman – Fire Code – 20' pavement stipulation
- Mr. Calderwood – questions regarding wall
- Mr. Smith – those are construction issues
- Mr. Calderwood – City Council has approved; owner will not do anything against City ordinances
- Mr. Hoffman – ROW cannot come close, does not meet ROW, not close to City ordinance
- Mr. Calderwood – 20' pavement cleared; Carmel would like brick fence versus a wood fence and would have to give part of land. City matter, not a P&Z matter.
- Mr. Lisenby – CM Dominy had made a motion regarding wall
- Mr. Smith – fence is owner's property
- Mr. Calderwood – Is that a mistake?
- Mr. Hoffman – smoke and mirrors, had two years and nothing in packet about a resolution
- Mr. Smith – not the subject of P&Z meeting; it is for construction

- Mr. Hoffman – ROW is not even close
- Mr. Calderwood – Four meetings, issue of HOA with fence easement. Other items are not part of P&Z.
- Mr. Autenreith – question regarding berm and drainage
- Ms. Richman – question of traffic for left turn; pictures are from 2018. Dated?
- Mr. Calderwood – What about school buses
- Mr. Hoffman – Three options for sanitary sewer: declined, off of Voss, work with Dillard tract
- Mr. Johnson – directed his comments to the Dad’s Club – great neighborhood asset but should have been more dialogue
- Mr. Hoffman – talked about PAD history with all the tracts as none of the property owners got together. Challenges remain. Properties removed from PAD but this one is grandfathered in with City Council prohibition on having a Voss entrance. Irony is if PAD goes away, so does the Voss Road prohibition.
- Several points mentioned about the bridge that Mr. Smith said were not on the agenda.

Mr. Calderwood made a motion to approve as presented. No second but motion would die for lack of a second. Ms. McGlothlin seconded the motion. Motion failed 6 to 1.

5. Consideration and possible action concerning: Changing the date of the Planning & Zoning Commission Meeting for December

It was decided to hold the P&Z meeting on the first Tuesday in December, December 7, 2021. Mr. Calderwood made the motion to approve the date. Ms. McGlothlin seconded the motion. The motion carried 7 to 0.

6. Discussion and possible direction concerning: The activities of the City Council during the February 23, 2021 meeting regarding Planning & Zoning Commission matters.

Mr. Smith reported that there were no Planning and Zoning matters on the agenda.

7. Adjournment

Mr. Calderwood made a motion to adjourn. Ms. McGlothlin seconded the motion. The motion carried 7 to 0. The meeting was adjourned at 8:20 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: July 13, 2021

TOPIC: **CONDUCT A PUBLIC HEARING CONCERNING:**

AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS GRANTING A SPECIFIC USE PERMIT FOR PROPERTY LOCATED AT 1010 BADE STREET WITHIN THE CORPORATE LIMITS OF THE CITY OF SPRING VALLEY VILLAGE FOR USE OF THE PROPERTY FOR SPORTS AND RECREATION INSTRUCTION; PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION; AND PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

BACKGROUND:

Frost Murphy of Elite MMA ("Applicant") has submitted a Specific Use Permit application for 1010 Bade Street ("Property") for the use of the Property as a martial arts studio for training and instruction. Previously, the Property housed an upholstery shop that has since vacated the premises. The Property is located in the Freeway Planned Area Development District but not within a separate PAD ordinance.

The proposed use of a martial arts studio falls under NAICS Sector No. 61 – Educational Services, specifically as NAICS No. 611620 – Sports and Recreation Instruction. According to Section 06P:08.05, Permitted Use List, of the City of Spring Valley Village Comprehensive Zoning Ordinance, NAICS Sector No. 61 – Educational Services is only allowed as O₂ or Business Office on the second floor or above of a building. According to the NAICS, Sports and Recreation Instruction comprises establishments, such as camps and schools, primarily engage in offering instruction in athletic activities to groups of individuals. Overnight and day sports instruction camps are included in this industry. Illustrative examples of this category include Martial arts instruction, cheerleading instruction, gymnastics instruction, and general sports (baseball, basketball, football, golf) instruction.

Section 11:02.01, Minimum Standards, of the City of Spring Valley Village Comprehensive Zoning Ordinance, provides the minimum parking space requirements for various uses. According to this Section and based on the square footage of the building at 1010 Bade Street (14,560 sq.ft.), the required parking for the proposed use is approximately 72 parking spaces. The building currently only has 18 parking spaces.

During a meeting with City Administrator Julie Robinson and me on July 7, 2021, the Applicant indicated that the proposed business use will have sufficient daytime parking since they offer personal training from 9:00 am - 5:00 pm. However, in the evening hours, they plan to offer larger group training sessions. Understanding the issues with parking availability, the Applicant has already identified possible available parking at adjacent or close properties and has contacted several of the property owners to discuss shared parking arrangements

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

	to ensure they have enough parking spaces to meet the minimum requirements. A graphic reflecting adjacent or close properties with parking space availability for possible shared parking arrangements has been provided by the Applicant and is included with this agenda item.
RECOMMENDATION: Not Applicable	
ATTACHMENTS: - Specific Use Permit Application Submittal - Graphic of Adjacent or Close Properties with Parking Space Availability For Possible Shared Parking Arrangements Provided by Applicant - Proposed Ordinance 2021-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 - Sign Posting and Maintenance Affidavits	
SUBMITTING STAFF MEMBER: Zachary Meadows, Director of Community Development	CITY ADMINISTRATOR APPROVAL: 

DIVIDER PAGE



SPRING VALLEY
VILLAGE

Community Development
City of Spring Valley Village

SPECIFIC USE PERMIT APPLICATION

PROPERTY INFORMATION

Property Address: 1010 Bade St
Legal Description: TRSD & S of TR A West Park
Present District Zoning:
Requested Specific Use Permit and Description: Change of use from upholstery shop to Martial Arts and Fitness.

OWNER INFORMATION

Name: JON JOSEPH Phone#: 713-461-4344
Address: 1010 BADE ST Houston TX 77055
Email: INFO@ANYSOFA.COM

APPLICANT/AGENT INFORMATION

Name: Frost Murphy Phone#: 832-465-7468
Address: 12502 Taylorscrest Rd. Houston, TX. 77024
Email:

****If applicant is different than property owner a *Notarized Letter of Authorization* must be attached to the application**

PROPERTY OWNER/AGENT AUTHORIZATION

Property Owner Consent/Agent Authorization: By my signature, I hereby affirm that I am the property owner of record, or if the applicant is an organization or business entity, that authorization has been granted to represent the owner, organization or business in this application. I certify that the preceding information is complete and accurate, and it is understood that I agree to the application being requested for this property. Additionally, my signature below indicates my awareness of the fee required at the time of the application submittal and any additional fees as noted in the City's fee schedule. This fee is non-refundable even in the event of application withdrawal. I have the power to authorize and hereby grant permission for City of Spring Valley Village officials to enter the property on official business as part of the application process.

Signature of Contractor/Authorized Agent

Printed Name

Application Date

FOR OFFICE USE ONLY

Specific Use Permit Number: _____ Date Submitted: _____
P&Z Meeting Date: _____ P&Z Recommendation: ☐ Approved ☐ Denied
Council Meeting Date: _____ Council Decision: ☐ Approved ☐ Denied

NOTE: Only complete applications shall be accepted and payment must be received at time of submission.



To Whom it May Concern:

My Name is Frost Murphy. I am a local resident, I went to BHE, MMS, MHS and my kids currently go to BHE. I say all of this, to communicate that I want good things for the neighborhood. Our team at Elite Martial Arts has been teaching and training Houstonians in martial arts since the late 90's. We have 5 locations spread out across Greater Houston and I am personally the most excited about this one because we can finally bring our product to Memorial and my kids will now have a great place to train Martial Arts close to my house!

We have the property at 1010 Bade St under contract to purchase. It is currently an upholstery shop. The Zoning requirements in Spring Valley do not allow for fitness or martial arts instruction in this building. I am requesting that we be allowed to teach and train our students in Martial Arts and Fitness inside this facility.

We are looking for to providing a nice safe place to train and a great resource for the community. We are team players, and look forward to contributing to the municipalities, schools, and community of SV anyway we can.

Thanks,

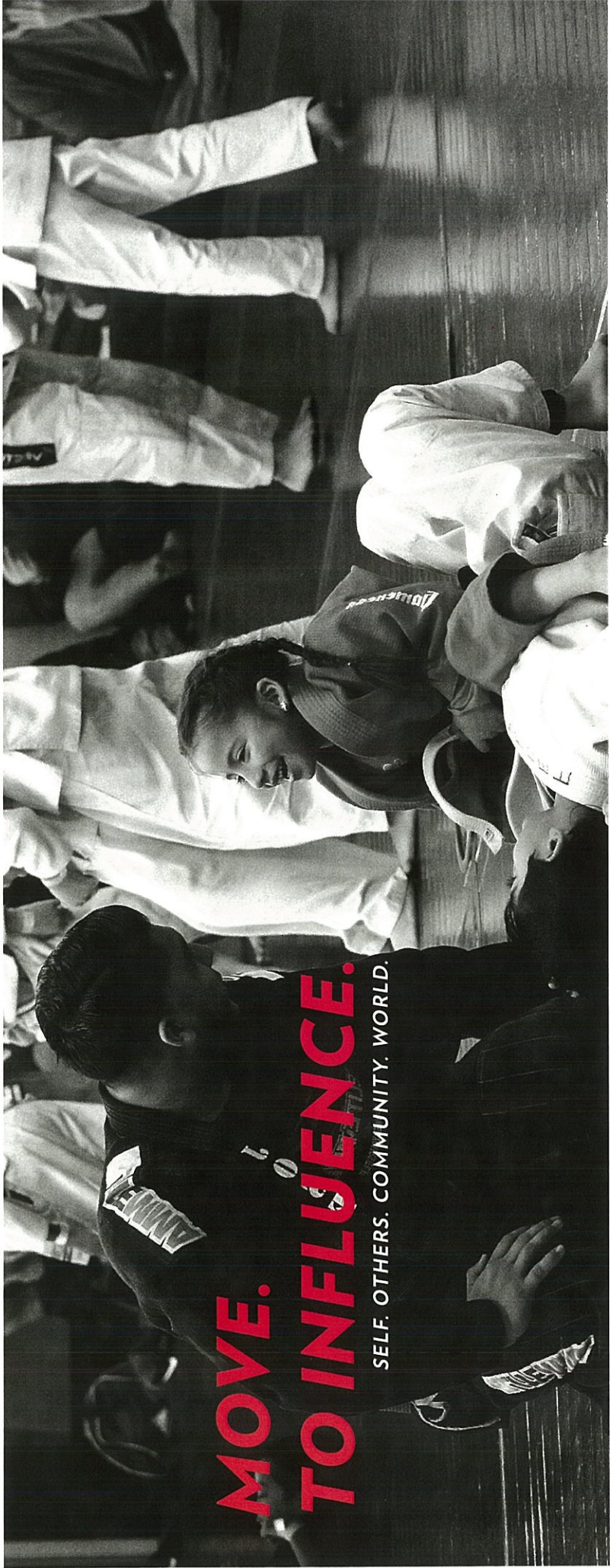
Frost Murphy

Elite MMA

832-465-7468

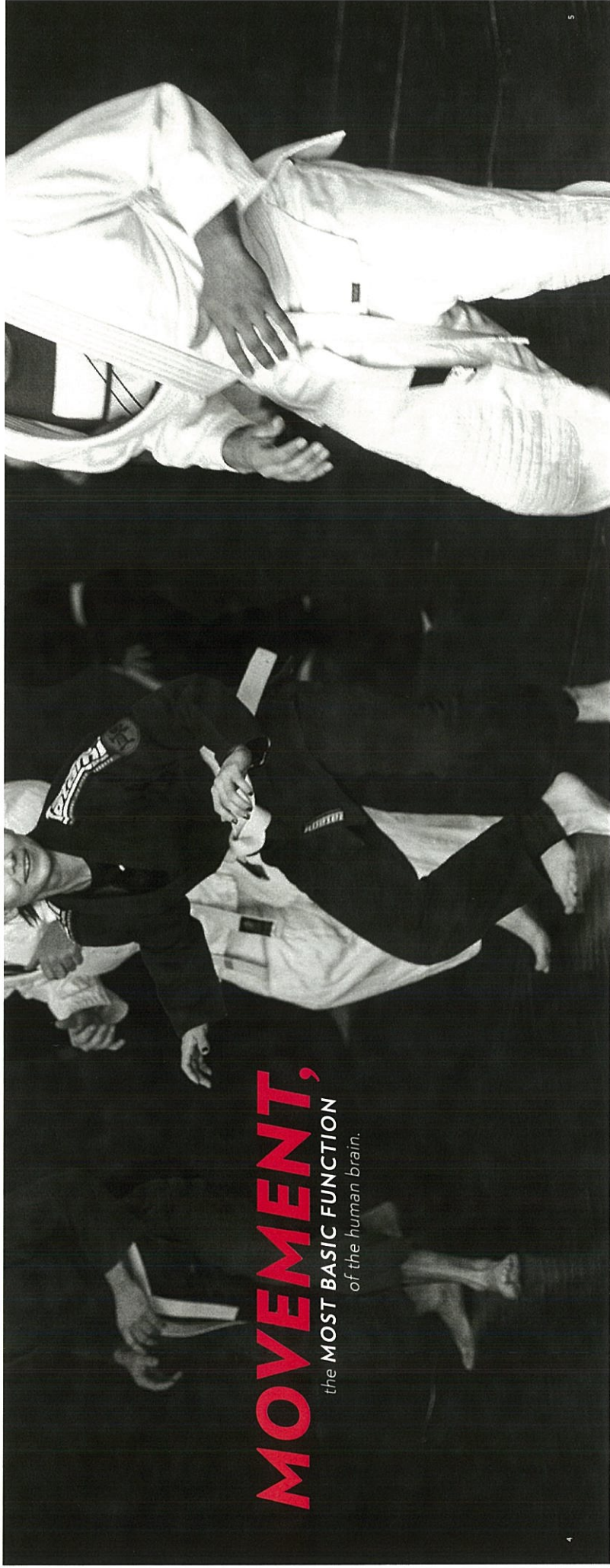
12502 Taylorcrest Rd

Houston, TX 77024



**MOVE.
TO INFLUENCE.**

SELF. OTHERS. COMMUNITY. WORLD.



MOVEMENT,
the MOST BASIC FUNCTION
of the human brain.



MISSION

Through the martial arts, we prepare and train people so they are equipped and centered to transform self, others, community and the world, influencing each to treat others as they wish to be treated.



NOISIA

Our vision at Elite is to share God's Principles through the discipline of Martial Arts. Thruout

able to form a community at a higher level, to achieve a higher level of individuality. We are concerned that we are producing the wrong kind of Social Family. We are a world class university, we are a world class college, we are a world class university, and we are committed to the pursuit of excellence.



DIVIDER PAGE

6:05



Katy Fwy

AOK Spine and Pain

AOK Urgent OrthoCare

150

Ramji Law Group, P.C

27

Pedro M. Arguello, MD, PA

25

18

Upholstery Shop

23

Bade St

AT&T

15

50

40

Memorial Houston Surgery Center

40

Andrew Lyos, MD, FACS | Plastic Surgery

Adkins Rd

Adkins Rd

18

Google

29°47'07"N 95°31'12"W 2,230 ft

DIVIDER PAGE

ORDINANCE NUMBER 2021-XX

AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS GRANTING A SPECIFIC USE PERMIT FOR PROPERTY LOCATED AT 1010 BADE STREET WITHIN THE CORPORATE LIMITS OF THE CITY OF SPRING VALLEY VILLAGE FOR USE OF THE PROPERTY FOR SPORTS AND RECREATION INSTRUCTION; PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION; AND PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

* * * * *

WHEREAS, Jon Joseph (the “Owner”) is the Owner of the property located at 1010 Bade Street (the “Property”), and situated within the corporate limits of the City of Spring Valley Village, Texas (the “City”); and

WHEREAS, the Property is under contract to be sold to Frost Murphy who proposes to use the Property as a martial arts studio for training and instruction; and

WHEREAS, the Property is located in the Freeway Planned Area Development District; and

WHEREAS, the Property is not part of a PAD ordinance, and the only change requested by the proposed buyer is the use of the Property; and

WHEREAS, the Owner of the Property, through its duly authorized representative, has presented an application dated May 24, 2021 (the “Application”) to the City for issuance of a Specific Use Permit to allow use of the Property for Sports and Recreation Instruction; and

WHEREAS, the Planning and Zoning Commission of the City, following notice and hearing as required by law, has recommended that the City Council grant the specific use permit as shown in the final report of said Commission; and

WHEREAS, the City Council, following notice and hearing as required by law, concurs with the recommendation of the Planning and Zoning Commission that such specific use permit should be granted; and

WHEREAS, the City Council finds that the issuance of a specific use permit should be granted, subject to certain conditions and terms contained herein, now, therefore:

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. A Specific Use Permit is hereby granted for use of the Property for the purpose of Sports and Recreation Instruction, subject to the terms and conditions set forth below.

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 granting of this Specific Use Permit as herein provided.

Section 4. The Specific Use Permit to authorize use of the Property for Sports and Recreation Instruction purposes is hereby granted subject to the following additional limitations, restrictions, and conditions:

- A. **Abandonment.** Should the permitted use be abandoned in any manner, or discontinued in use for ninety (90) days or more, or continued other than in strict conformity with the conditions of this permit, or should a change in the character of the surrounding area or the use itself cause it to be no longer compatible with the surrounding area or for similar cause based upon consideration of the public

health, safety or welfare, the Specific Use Permit may be terminated by action of the City Council following hearing and recommendation of the City Planning and Zoning Commission.

B. Amendments. Any change, addition, modification, alteration and/or amendment of any aspect of this Specific Use Permit, including but not limited to an addition, modification, alteration, and/or amendment to the use, premises, structures, lands or owners, other than as specifically authorized herein, shall require a new permit and all procedures in place at the time must be followed.

Section 5. Any person, corporation or entity who or which 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 in which any violation shall occur, or each occurrence of any violation, shall constitute a separate offense.

Section 6. In the event any 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 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 such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 7. This Ordinance shall become effective immediately upon its passage in accordance with State law.

DULY PASSED, APPROVED, AND ORDAINED this the _____ day of _____, 2021.

Marcus Vajdos, Mayor
City of Spring Valley Village, Texas

ATTEST:

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

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 OF SPRING VALLEY VILLAGE, TEXAS A SPECIFIC USE PERMIT FOR PROPERTY LOCATED AT 1010 BADE STREET WITHIN THE CORPORATE LIMITS OF THE CITY OF SPRING VALLEY VILLAGE FOR USE OF THE PROPERTY FOR SPORTS AND RECREATION INSTRUCTION; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION; AND PROVIDING A SEVERABILITY CLAUSE.

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, July 13, 2021
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, July 27, 2021
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.



EST. 1955

SPRING VALLEY V I L L A G E

June 23, 2021

Dear Property Owner:

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

AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS A SPECIFIC USE PERMIT FOR PROPERTY LOCATED AT 1010 BADE STREET WITHIN THE CORPORATE LIMITS OF THE CITY OF SPRING VALLEY VILLAGE FOR USE OF THE PROPERTY FOR SPORTS AND RECREATION INSTRUCTION; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION; AND PROVIDING A SEVERABILITY CLAUSE.

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, July 13, 2021

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, July 27, 2021

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 1010 Bade Street. 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.

Sincerely,



Zachary Meadows
Director of Community Development

Joan Claire Temple Living Trust
1010 Bade Street
Houston, Texas 77055

TLM-SVMP II LLC
110 E Davis Street
McKinney, Texas 75069

THIS NOTICE IS IN REGARDS
TO YOUR PROPERTY AT:
9210 OLD KATY ROAD
HOUSTON, TEXAS 77055

TLM-SVMP II LLC
9210 Old Katy Road
Houston, Texas 77055

Callaghan Middle LLC
10000 Memorial Drive, Suite 450
Houston, Texas 77024

THIS NOTICE IS IN REGARDS
TO YOUR PROPERTY AT:
9210 OLD KATY ROAD
HOUSTON, TEXAS 77055

Callaghan Middle LLC
10000 Memorial Drive, Suite 450
Houston, Texas 77024

THIS NOTICE IS IN REGARDS
TO YOUR PROPERTY AT:
9200 OLD KATY ROAD
HOUSTON, TEXAS 77055

Southwestern Bell Telephone Co.
Attn: Property Tax Department
1010 Pine Street
Saint Louis, Missouri 63101

THIS NOTICE IS IN REGARDS
TO YOUR PROPERTY AT:
0 OLD KATY ROAD
HOUSTON, TEXAS 77055

Southwestern Bell Telephone Co.
Attn: Property Tax Department
1010 Pine Street
Saint Louis, Missouri 63101

THIS NOTICE IS IN REGARDS
TO YOUR PROPERTY AT:
1015 BADE STREET
HOUSTON, TEXAS 77055

Spring Valley Calico LP
9190 Katy Freeway, Suite 101
Houston, Texas 77055

THIS NOTICE IS IN REGARDS
TO YOUR PROPERTY AT:
9198 OLD KATY ROAD
HOUSTON, TEXAS 77055

Spring Valley Calico LP
9198 Old Katy Road
Houston, Texas 77055

Ricki Lee Finstad
9201 Cardwell Street
Houston, Texas 77055

C. J. Lamonte Jr.
P.O. Box 19897
Houston, Texas 77224-9897

THIS NOTICE IS IN REGARDS
TO YOUR PROPERTY AT:
0 BADE STREET
HOUSTON, TEXAS 77055

Iraj & Lili Mahvash
1018 Bade Street
Houston, Texas 77055

Huong Le
1014 Bade Street
Houston, Texas 77055

Huong Le
17 Stonegate Drive
Houston, Texas 77024

THIS NOTICE IS IN REGARDS
TO YOUR PROPERTY AT:
1014 BADE STREET
HOUSTON, TEXAS 77055

C. J. Lamonte Jr.
James Lacy Hamilton
1108 Bade Street
Houston, Texas 77055

THIS NOTICE IS IN REGARDS
TO YOUR PROPERTY AT:
0 PENN MANOR COURT
HOUSTON, TEXAS 77055

Mathew & Shanna Trenchard
9155 Penn Manor Court
Houston, Texas 77055

Donald Crumpler
1111 Adkins Road
Houston, Texas 77055

THIS NOTICE IS IN REGARDS
TO YOUR PROPERTY AT:
9151 PENN MANOR COURT
HOUSTON, TEXAS 77055

Donald Crumpler
9151 Penn Manor Court
Houston, Texas 77055

Current Owner
9147 Penn Manor Court
Houston, Texas 77055

Spring Valley Memorial
Real Estate Investors LP
9190 Katy Freeway, Suite 102
Houston, Texas 77055

9186 Katy Freeway LLC
9186 Katy Freeway
Houston, Texas 77055

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

DIVIDER PAGE

AFFIDAVIT OF SIGN POSTING

(Re)Zoning Case No. _____

Date of Planning and Zoning Commission Meeting: July 13, 2021

In accordance with the requirements of Section 01:04:03 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village, Texas, I Frost Murphy hereby certify that I have posted or caused to be posted Zoning Change Notification sign(s) on the property subject to zoning change, located at

1010 Bade St. Houston TX 77055

Said sign(s) meet the specifications of Section 01:04:03 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village. Posting of said signs was accomplished on 6/28/21 as provided for in Section 01:04:03 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village. Said signs have been posted in a manner which provides an unobstructed view and which allows clear reading from the public right(s)-of-way along Bade Street

I further certify that this affidavit was filed with the Building Department of the City of Spring Valley Village within the time provisions of Section 01:04:03 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village.

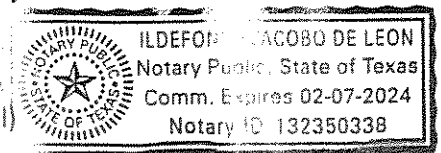
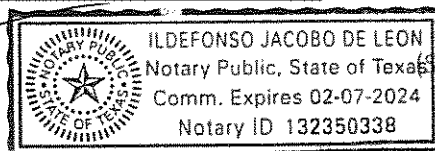
Executed this date: 6/28/21

Printed Name of Applicant or Authorized Representative for Zoning Case No. Eleonora - Frost Murphy

Signature of Applicant or Authorized Representative for Zoning Case No. [Signature]

Sworn and subscribed before me on this date: 06/28/21

Notary Public _____



PLEASE NOTE: Failure to post the notification sign(s) on the property by the close of business (4:30 pm) fourteen (14) days prior Planning and Zoning Commission public hearing shall result in the postponement of consideration by the Commission.

STAFF USE ONLY:

Date/Time submitted: 6/29/2021 2:50pm Verified by: Zach Meadows

**AFFIDAVIT OF ZONING CHANGE NOTIFICATION SIGN MAINTENANCE**

(Re)Zoning Case No. _____

Date of City Council Meeting: July 27th, 2021

In accordance with the requirements of Section 01:04:03 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village, Texas, I Ernst Murphy hereby certify that Zoning Change Notification sign(s) have been maintained on the property subject to zoning change, located at 1010 Bude St Houston, TX 77055

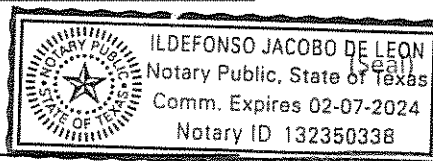
Said sign(s) have been maintained in a manner consistent with the requirements contained in Section 01:04:03 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village.

I further certify that this affidavit was filed with the Building Department of the City on date 6/29/21 within the time provisions of Section 01:04:03 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village.

I understand that I am required to remove said signs within seven (7) calendar days of any final action on the application taken by the City of Spring Valley Village regarding the zoning change.

Executed this date: 6/28/21Printed Name of Applicant or Authorized Representative for Zoning Case No. Elite man - Ernst MurphySignature of Applicant or Authorized Representative for Zoning Case No. [Signature]Sworn and subscribed before me on this date: 06/28/21

Notary Public _____



PLEASE NOTE: Failure to maintain the signs prior to City Council public hearing may result in postponement of consideration if the applicant has not attempted to replace damaged or missing signs upon notification by Staff.

FOR STAFF USE ONLY:Date/Time submitted: 6/29/2021 2:50 pm Verified by: Zach Meadows

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

MEETING DATE: July 13, 2021

TOPIC:	ORDINANCE NO. 2021-XX AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS GRANTING A SPECIFIC USE PERMIT FOR PROPERTY LOCATED AT 1010 BADE STREET WITHIN THE CORPORATE LIMITS OF THE CITY OF SPRING VALLEY VILLAGE FOR USE OF THE PROPERTY FOR SPORTS AND RECREATION INSTRUCTION; PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION; AND PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.
BACKGROUND:	In the previous agenda item, the Planning and Zoning Commission conducted a public hearing on an application requesting a Specific Use Permit for 1010 Bade Street for the use of the Property for a martial arts studio and instruction facility that falls within the NAICS Code Category of Sports and Recreation Instruction. If approved, this Ordinance would recommend approval of granting the requested Specific Use Permit.
RECOMMENDATION:	Staff Recommends Approval of the Requested Specific Use Permit Contingent Upon the Applicant Obtaining Shared Parking Agreement(s) to Meet the Required Minimum Parking Per Section 11:02.01 of the City of Spring Valley Village Comprehensive Zoning Ordinance.
ATTACHMENTS:	• Proposed Ordinance No. 2021-XX
SUBMITTING STAFF MEMBER: Zachary Meadows, Director of Community Development	CITY ADMINISTRATOR APPROVAL: 

ORDINANCE NUMBER 2021-XX

AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS GRANTING A SPECIFIC USE PERMIT FOR PROPERTY LOCATED AT 1010 BADE STREET WITHIN THE CORPORATE LIMITS OF THE CITY OF SPRING VALLEY VILLAGE FOR USE OF THE PROPERTY FOR SPORTS AND RECREATION INSTRUCTION; PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION; AND PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

* * * * *

WHEREAS, Jon Joseph (the “Owner”) is the Owner of the property located at 1010 Bade Street (the “Property”), and situated within the corporate limits of the City of Spring Valley Village, Texas (the “City”); and

WHEREAS, the Property is under contract to be sold to Frost Murphy who proposes to use the Property as a martial arts studio for training and instruction; and

WHEREAS, the Property is located in the Freeway Planned Area Development District; and

WHEREAS, the Property is not part of a PAD ordinance, and the only change requested by the proposed buyer is the use of the Property; and

WHEREAS, the Owner of the Property, through its duly authorized representative, has presented an application dated May 24, 2021 (the “Application”) to the City for issuance of a Specific Use Permit to allow use of the Property for Sports and Recreation Instruction; and

WHEREAS, the Planning and Zoning Commission of the City, following notice and hearing as required by law, has recommended that the City Council grant the specific use permit as shown in the final report of said Commission; and

WHEREAS, the City Council, following notice and hearing as required by law, concurs with the recommendation of the Planning and Zoning Commission that such specific use permit should be granted; and

WHEREAS, the City Council finds that the issuance of a specific use permit should be granted, subject to certain conditions and terms contained herein, now, therefore:

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. A Specific Use Permit is hereby granted for use of the Property for the purpose of Sports and Recreation Instruction, subject to the terms and conditions set forth below.

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 granting of this Specific Use Permit as herein provided.

Section 4. The Specific Use Permit to authorize use of the Property for Sports and Recreation Instruction purposes is hereby granted subject to the following additional limitations, restrictions, and conditions:

- A. **Abandonment.** Should the permitted use be abandoned in any manner, or discontinued in use for ninety (90) days or more, or continued other than in strict conformity with the conditions of this permit, or should a change in the character of the surrounding area or the use itself cause it to be no longer compatible with the surrounding area or for similar cause based upon consideration of the public

health, safety or welfare, the Specific Use Permit may be terminated by action of the City Council following hearing and recommendation of the City Planning and Zoning Commission.

B. Amendments. Any change, addition, modification, alteration and/or amendment of any aspect of this Specific Use Permit, including but not limited to an addition, modification, alteration, and/or amendment to the use, premises, structures, lands or owners, other than as specifically authorized herein, shall require a new permit and all procedures in place at the time must be followed.

Section 5. Any person, corporation or entity who or which 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 in which any violation shall occur, or each occurrence of any violation, shall constitute a separate offense.

Section 6. In the event any 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 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 such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 7. This Ordinance shall become effective immediately upon its passage in accordance with State law.

DULY PASSED, APPROVED, AND ORDAINED this the _____ day of _____, 2021.

Marcus Vajdos, Mayor
City of Spring Valley Village, Texas

ATTEST:

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