

City of Piney Point Village
Planning & Zoning Commission Meeting
Minutes from
September 27th, 2018

Members Present: Vincent Marino-Chairman, Bill Burney, Charles Peterman, Don Jones, Lenni Burke and Sue Curtis.

Members Absent: Diane Wege

City Staff: Annette Arriaga, Director of Planning, Development, & Permits, John Peterson with HDR Engineering Company, and David Olson with Olson & Olson.

Council: Henry Kollenberg

Guests: Michael and Sabine Herminghaus, Jesse Jefferies, Gail Chen, Emily Ries, Bill and Joan Davis, Jim and Susie McCulloch, the Rev. Stuart A. Bates, Louise Richman, Melissa Mc Anelly, Michael Cooper, Matthew Kemple, Rob Erni, Jim Doremus, Steven Hicks, Peter Muessig, Nick Peters, Jennifer Espey and Margaret Rohde.

- 1.) **Call to order:** 7:05 P.M.
- 2.) **Meeting Minutes:** Motion for approval of minutes from the June 28th, 2018 Planning and Zoning Commission meeting subject to the correction of showing that Bill Burney was absent at the June 28th meeting. Motion made by Vincent Marino and seconded by Bill Burney. Upon vote, such minutes were unanimously approved.
- 3.) **Public Hearing/Specific Use Permit Request/St Francis Episcopal Church/Columbarium/345 Piney Point Road:** Louise Richman indicated that she is a current member and also the treasurer for St Francis. She and Rev. Bates are here to discuss the request for the specific use permit for the Columbarium. She stated that the columbarium has been existing since 2001. For some time the church has known that they needed to come to the city for the specific use permit but, for some reason over time that had not been done. She explained that back in 2000 and 2001 there had been construction done at the church and she believes at that time the columbarium was done. She also mentioned that the staff, at the facility, during that time is no longer with the church. Louise Richman did indicate that she was here to correct the oversight. She mentioned that St Francis did mention that they held an open house and that only one guest attended. She went on and stated that columbarium's are much more common these days than they were 40 years ago. It allows the parishioners to pay respects to their loved ones when they attend church. A columbarium is not a cemetery. The cremation takes place at a licensed funeral home and not at the church. The container is delivered to the church in a sealed container and placed in a niche that is also sealed. The columbarium is a 9'-2" tall and 8'-10" wide, and it has 90 niches, each measuring 10 ½ by 10 ½. And of the 90 niches 30 are occupied. The niches are not for sale to the general public and in order to obtain a niche you have to be a member of the church. There is an application in that must be approved by the rector. Then there is a "certificate of interment rights" issued for consideration of the contribution of the reservation fee. Then there is a "condition of use" that the grantee Accepts and agrees to. Then lastly there is an "inscription order form" for the wording to be engraved on the niche. Also, the niche within the church facility is 140 feet from Piney Point Road, 280 feet from Cheska Hollow, 310 feet from Ecclesia Church and 670 feet from Habersham. Rev. Bates discussed that they were anticipating and preparing to go before the Planning and Zoning Commission but, then the Piney Point Roadway project started and they just postpone it waiting for the roadway project to be completed. Vincent Marino stated that he did not receive a notice and that the addresses used for the various recipients were sent to the city offices and not that of the individual council and commission members. Charles Peterman stated he

thought that St Francis had an approval for a columbarium. Rev. Bates, indicated that he did not think so since the Director of Facilities is no longer with St. Francis. David Olson indicated that the city does not have a record of a columbarium for St. Francis and it just makes sense to go through the formal process. Vincent Marino asked David Olson what the penalty was for violating the zoning ordinance and David Olson informed him that it is \$2,000.00 dollars a day for violating the city's zoning ordinance.

- 4.) **Discussion of Public Hearing/Specific Use Permit Request/St Francis Church/Columbarium/345 Piney Point Road:** Vincent Marino entertained a motion to approve a specific use permit for St. Francis columbarium for a total of 90 niches and to make a formal recommendation to city council. Motion made first by Sue Curtis and seconded by Don Jones, and passed.
- 5.) **Public Hearing/Specific Use Permit Request/Ecclesia Church/Campus Improvements/325 Piney Point Road:** A public hearing was conducted and resident comments were received by the commission. Jim Doremus spoke on behalf of Ecclesia Church and indicated that he was the pastor of Memorial Drive Baptist Church for 12 and a half years and has been the community pastor for the Ecclesia Church for the past two years. There were two main goals, one being to speak the word of God and to be a good neighbor. The church has been a good neighbor to the Piney Point community. It has hosted the city's Arbor Day, and for the past 26 years hosted the Memorial Village Festivals. They have also hosted city council meetings and hosted traffic court from time to time. They also work with St Francis to allow St. Francis cars to be parked on Ecclesia lot and for Ecclesia cars to be parked on St. Francis lot on Sundays. Residents have also asked to use Ecclesia facility for special occasions. Not to mention that Ecclesia has also allowed the staging area for the Piney Point road way project. So, we are definitely trying to be good neighbors. The presentation will be presented by Steven Hicks the associate pastor for Ecclesia, Emily Ries the Director of Operations, Peter Muessig the architect with Metalab Studios, and Jones Carter the civil engineer for the project.

Emily Reis went over the proposed request as outlined on the agenda. She made sure everyone had the latest updated copy of the site plan. *She indicated that items one and two on the agenda,* relates to the church requesting to add more on site drainage and to allow for additional parking and paving. Both of these are connected. The new drainage being installed will be able to capture more water runoff and the existing detention pond will be expanded to allow for more on site detention. The additional parking spaces that are being proposed to be added will be in the back of the property. She stated that they are requesting an additional entrance on the South end of the property to better manage the circular flow of the campus. Right now there is only one usable entrance and exit and it really makes it congested on Piney Point Road and for safety purposes it would be better for emergency vehicles to get around on the property. **Jones Carter** indicated that the proposed drainage system would be under ground and it would be connecting directly to Piney Point Road. **Emily Reis** also stated that in the last 24 hours that they had revised their site plan based on the meet and greet that they had with the residents at the church the night before because of the impervious coverage that they were limited to. So now they will no longer be above the 50 percent coverage. *The third item listed;* by adding more parking it is going to require tree removal. They will work with the city on the tree removal and they will be re planting 27 but will be removing 15. They will be adding some water features in front of the main sanctuary and adding more plant landscaping. *The fourth item listed;* they will also be removing and replacing decking in between the main Fellowship Hall and the nursery area. The decking will make that area more functional. *The fifth item on the agenda;* to demo and to do minor repairs in the Fellowship Hall building. They have small groups that meet there and they need to remove asbestos and to do some asbestos abatement, paint and to do some flooring. *The sixth item on the agenda;* to build a new storage shed. They need an area to place all the maintenance equipment. The new storage shed will be 15' x 15'. *The seventh item on the agenda;* to replace the playground equipment. The equipment needs to be updated. **Steven Hicks**, the executive pastor of Ecclesia spoke and indicated that he intends to work fully with the codes and ordinances and to work with all the processes in place and with public and city council. Over the last year they have

made some minor improvements like painted the exterior and interior of main sanctuary with some minor cosmetic improvements that have improved the functionality of the campus. These improvements have added value to the property and to the community. We not only want this to work for Ecclesia but also the community. **Jim McCulloch** a resident of Raintree Circle commended them on doing an excellent job for the community by bringing people to Christ but his concern was that very few people know about the request. He knows that notification was sent out but he believes the notices should be expanded to all of Piney Point. The Church is ideal to Piney Point because of the green space. Also they have changed the site plan and they have not had a chance to review the changes. The residents on Raintree Circle have several concerns and he would like for more time to review the request. **Michael Herminghaus** a resident of Raintree Circle indicated that when he wanted to build his house that he came into the city and that he was told that he had to have a drainage plan and a tree survey before he could build his house. So, how can we discuss this plan without having both a drainage plan and tree survey? He also added that per Harris County appraisal district Ecclesia resides on two lots. And to his understanding, those lots would have to be replatted before any work could be done. **Matthew Kemble** a resident of Raintree Circle wanted to discuss the plating and the impervious coverage of the property. Also, he wanted to discuss the new driveway way that they are requesting and indicated that per the city ordinance a third curb cut would not be allowed. A property can have only two curb cuts. He also wanted to state his concerns on the total amount of parking spaces and the amount of concrete that it creates. They are requesting additional parking to accommodate 448 people, but the city ordinances require 1 parking space for every three seats. He counted all of the seats in the main sanctuary and he counted all of the seats and it totaled 211 so, they only need 71 parking spaces. He doesn't know why they need so much more additional parking. Matthew Kemble stated that he was at the met and greet and that he spoke to the pastor and the pastor told him that they would never have a total of 448 people at the church at any given time. He is also concerned about all the red dots on the tree survey showing all the trees to be removed. **Peter Muessig** with Ecclesia indicated they will be cleaning up the lot and planting more trees and working with the city's forester. **Michael Cooper** a resident of Raintree Circle asked about the drainage on North Piney Point and asked if all the proposed impervious calculations for the church were taken in account when the drainage was being done. **David Olson** stated obviously no, it was not. **John Peterson** stated that they are increasing their detention but before the property would just sheet flow and go into the ditch and now it would be collecting to and underground system and taken to the front. **Michael Cooper** was also concerned about the expansion of the detention pond. Before there was no sidewalk and now the new sidewalk is near the detention area. If the detention area is expanded then it is going to be a safety issue. He also brought up Article #3 that pertains to drainage and storm water detention. These guidelines are from the Harris County Flood Control District and the requirements and guide lines are stricter than ours. And it requires the detention pond to be thirty feet from the property line. This is not thirty feet away and will be a safety hazard to children going up and down that sidewalk and it would be a major liability for the city. He believes it needs to be re designed. **Michael Herminghaus** stated that he can't see the need for additional parking. And also he wanted to know why we are still discussing this without an official tree survey. **Cary Moran** indicated that they have a survey but the tree survey is not from a degreed forester and that some of the trees they have marked as trees may not be trees. So that still has to be determined. **David Olson** indicated that when it comes to the level of degree of information that the Planning and Zoning Commission and the council wants to see it may be that they require the same details as required for permitting. They can consider items that are lesser in details. **Michael Herminghaus** wanted to know why there are two sets of rules; one being for tax payers and the other for the schools and churches. **David Olson** indicated that a specific use permit is just an approval of use. They still would have to submit all the same studies and site plans, tree surveys and drainage plans etc.; David Olson also said they have not submitted anything yet for permitting but it is up to the commission to ultimately decide if more information is needed to satisfy the request. **Michael Herminghaus** indicated that they have just received a new site plan. He wanted to know how many more drawing they are going to have. He indicated that the City of Piney Point is a participant of Tree City USA, so how can we even consider or allow them to take out 78 trees without their replanting plan. **Emilie Reese** stated that they are replanting at least 27. Then Sue

Curtis indicated that they show that they are going to remove 42 trees. **Sabine Herminghaus** a resident of Raintree Circle wanted to confirm exactly per the site plan which trees were to be removed. **Matthew Kemble** stated that St Francis allows Ecclesia to use some of their parking spaces so why would they need additional parking spaces. Chapelwood Church doesn't have enough parking spaces so they bus people to and from Kinkaid. Kinkaid has tons of parking. **Steven Hicks** asked when talking about the parking requirements they refer to the minimum and we couldn't have less than the minimum and as long as they are under the fifty percent lot coverage then they still can obtain the request for additional parking. **Matthew Kemble** stated that they are using the other lot in that South East corner as part of their coverage calculations, they included both pieces of property in determining there lot calculations. **Jim Doremus** stated that St Francis designates 66 spaces for the Ecclesia to use some Sundays are busier than other and with that over flow people will park on the grass. **Resident female, name unknown** stated that at the Echo Lane where Hope City is and that location is built for a lot of people. North Piney Point is not built for that traffic and certainly not built to allow for three curb cuts. **Lisa Frantz** stated that she is glad that Ecclesia is there and she is glad that life is back in that church again and she is thrilled that Piney Point Street is completed but she is concerned with the construction on Ecclesia and she is concerned that it will tear up our road again and who would pay for that. Also during church why can't they go out the two exits already provided and be neighborly. She doesn't feel that they need three curb cuts. St Francis and Chapelwood both do not have three curb cuts. And where is the survey because it is so full that they have to build all these parking spaces. **Resident male, name unknown**, stated he has never noticed the parking lot full. It is such a beautiful place and he walks his dog there all the time and he doesn't think that the additional parking spaces are needed. **Resident male, name unknown**, stated that they are over in coverage if they do not plat both of the properties. They only way they can have the three curb cuts would be if they combine both properties together. Also there was another site plan revision and shouldn't notices be resent when they send out another site plan? And how can the neighbors approve something that is referred to in today's version. **Joe B Allen** lives directly behind the church on Green Oaks. He has watched St Francis take out trees and pour concrete and he said this is re peat from what he has to deal with for the last 36 years. More concrete, fewer trees, more pollution and more traffic. We need a complete new plan and more information needed on the tree plan and tree survey. And the neighborhoods need to be re notified. Steven Hicks went over the tree number with Cary Moran. Cary Moran stated that the tree calculation may not be correct, because some of the trees do not qualify as a qualified tree and some of trees may not be in good condition to be counted. She also mentioned that their tree count may not be accurate. **Resident male, name unknown**, stated that he doesn't want anything to be changed and doesn't want the trees to be removed. He stated that none of the residents probably go to their church. He also mentioned that he went to the meet and greet and that the Ecclesia made no assurances. He likes the trees and he likes the screening. He feels it may change his property values. **Michael Cooper** he wanted to re state that he does not want the detention pond. If they built the detention pond, according to his calculations the pond would be 2 ½ feet deep and that close to a major thoroughfare and a sidewalk that that would very dangerous. **Emilie Reese** stated that the revised site plan was based off of the comments from the meet and greet that they had and so that is why they changed it to meet some resident concerns. There was a lot of work they had to do to revise it. They were required to send out 9 letters and they sent out 149 letters to the neighboring community so she indicated that they are mindful and wanted more residents to know what was going on and what they we doing. **David Olson** went over the specific use process again and if the commission wants to require more information, they can do that. So the applicant has submitted this request, this is all the information that we have and of course for permitting all of the necessary information needed for a permit would be required. **Resident male, name unknown**, Raintree Circle stated that he lives in back where the drainage easement is located and he stated that there is always standing water in the back of his property.

- 6.) Discussion of Public Hearing/Specific Use Permit/Ecclesia Church/Campus Improvements/325 Piney Point Road: The Ecclesia Church is requesting a specific use permit for the following;

1. To add more onsite drainage
2. To allow for additional parking and pavement
3. Add landscape and water features
4. To remove and replace decking outside the Fellowship Hall
5. To demo inside and to do minor repairs of the Fellowship Hall
6. To build a new storage shed 15 x 15
7. Replace playground equipment

Vincent Marino stated that there is not enough information presented and that the church needs to go back and address as many of the issues raised as possible. There has been a lot feedback. Vincent stated that a land survey would be required showing the lots, a good tree survey by a degreed forester. Some more details as to the parking ratios and curb cuts details, and they need to show the building set back lines and to explain how the drainage is going to be handled. Even though drainage is part of the building permit process, it is interrelated to the land design that the commission needs to see how that will be handled, especially in regards to detention.

The applicant, Ecclesia requested the Commission to make a recommendation.

After discussion of the specific use permit request, the Planning and Zoning Commission *agreed to not make a formal recommendation to City Council until further information is obtained. The Vote was unanimous.*

- 7.) **Adjournment:** Motion to adjourn at 9:50 P.M. Motion made first by Vincent Marino and seconded by Sue Curtis. Motion to adjourn approved.

Date Approved on October 25th, 2018
Chairman Vincent Marino

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(Required Signature)

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