

City of Piney Point Village
Planning & Zoning Commission Meeting
Minutes from
September 23rd, 2021

Members Present: Vincent Marino-Chairman, Bill Burney, Dana Gompers, Don Jones and Margaret Rohde.

Members Absent: Charles Peterman.

City Staff: Director of Planning & Development-**Annette Arriaga**, City Attorney- **David Olson**, City Engineer- **Joe Moore**, Administrative Assistant -**Kimberly Perez** and Code Enforcement/Public Works- **Jose Gomez**.

City Council Members: Councilman- Henry Kollenberg and Michael Herminghaus.

St. Francis Team Members: The Rector/Pastor- **Stuart Bates**, Building Chair-**George Jumonville**, Treasurer-**Louise Richmond**, Head of School-**Steve Lovejoy**, Director of Facilities-**Curt Wissmiller**, Architect and Designer with Merriman Holt Powell Architects-**Colin Gallatin**, Principal with Merriman Holt Powell Architects-**Bill Merriman**, Arborist-**Craig Koehl**, Contractor Tellepsen Builders- **Tellef Tellepsen**, Engineer with Tellepsen Builders -**Kyle Mahnke**, Project Manager with Tellepsen Builders- **Yonny Lopez**, Senior Acoustical Consultant-**Ashton Taylor**, Civil Engineer with Lonnie Sykes Engineering Co;-**Lonnie Sykes P.E.**

Residents: Joe Allen, Tom Daley, Richard & Karen Nystrom, Rachel & Tim Dash, Ron Smith, and Wayne Brown.

Guests: Pete Ed Garrett, Sheila Rowley, and M. A Colangedo.

E-Mail Communication Letters Cheska Residents: Nancy S. Grob, Shannon Nystrom and John Williams.

On line Zoom Guest: Nancy S. Grob (all online zoom guests not recorded)

Zoom Virtual Meeting ID: 871 6001 3272 **Passcode:** 530676

- 1.) **Call to order:** 7:03 P.M.
- 2.) **Swearing In:** Vincent Marino swore in Dana Gompers to the Planning and Zoning Commission.
- 3.) **Meeting Minutes:** Motion for approval of minutes from the July 22, 2021 regular Planning and Zoning Commission meeting, first by Vincent Marino and seconded by Don Jones. Meeting minutes approved.
- 4.) **Public Hearing/Specific Use Permit Request/St. Francis Episcopal Church/Request to Build a New Parish Hall/and to Allow for AC Roof Top Units/and to Relocate the Existing Play Ground Equipment:** Vincent Marino, the Planning and Zoning Chairman, opened the meeting by requesting that the meeting not be interrupted until the St. Francis presentation had been completed. The **Rector/Pastor, Stuart Bates**, was the first to do the introduction and he mentioned that St. Francis Episcopal Church was happy to present the project to the Planning and Zoning Commission for the new Parish Hall. He mentioned that St. Francis has been part of the Piney Point Community for over 70 years since 1949. The current Parish Hall was built in 1951. He indicated that they will be expanding. He continued to add that the building needs some improvements and some parts of the

Parish Hall are beyond repair and need to be brought up to code. The new rebuild would satisfy the needs of the community and the facility needs to be overhauled. It's been four years since the discussion of the project and the project has been delayed by several factors, COVID being a major one. Since then, they came back into compliance with the columbarium and were granted a Specific Use permit in 2018. Additional landscaping, such as Japanese Yews, had to be planted in front of the church as well. Stuart Bates stated that they would continue with the presentation by adding that they will be relocating the existing playground to move it out of the 30-foot green belt area to come into compliance. They stated to be ready to start the presentation of the New Parish Hall. They were going to present the relocation of the playground, the new design of the Parish Hall, and the AC Units on the roof tops. The building height of the structure will not exceed the 35-foot building height. They were also ready to discuss the tree disposition plan, drainage and the traffic plan. The team of experts was ready to present the request for the New Parish Hall and they had a long list of presenters.

George Jumonville, The Chair of the Building Committee, referenced the name of the consultants and mentioned that it has been over four years since they had started discussion and planning of the project. The team consists of consultants, specialists, engineers, and architects that have worked with the City of Piney Point Village in the past and with the city's Memorial Village Water Authority. He continued to list the names and titles of the rest of the consultant team. George Jumonville introduced **Louise Richmond, St. Francis Church Vestry**. She gave an initial introduction and referenced that they were excited and full of joy to finally be ready to present the project. She indicated that they had received the required reviews from the City of Piney Point Village, as well as the required approval from the Memorial Village Water Authority. She indicated that this project had been in the making for four years and it had been delayed due to the pandemic and the freeze. She indicated that this project had been methodically thought out and meticulously planned starting in 2018. The Church has received the required project approval from the Episcopal Dioceses of Texas. The architecture firm that was selected for this project in 2018 was Merriam Holt Architects, and they have been using experts in their respected fields such as licensed architects, professional engineers that have specialized knowledge in drainage, acoustics engineer and experts for other life safety issues. They have licensed electricians, plumbers and mechanical contractors. Louise Richmond mentioned that in the meet-and-greets a question that kept coming up was, "*why does St. Francis need and secondly, want a new Parish Hall?*" Well, she indicated that just as Stuart Bates had expressed, the building is 70 years old, it is beyond repair and renovation, the building does not meet the ADA requirements, it does not have an adequate fire protection system, it does not have an elevator, and the second floor has only one exit. She added that the kitchen is outdated and the roof leaks. They are also in need of an office for the Rector/Pastor and more meeting rooms for various meetings and community events, as well as bible study. She mentioned that in order for the Zoom meeting to work that night, they had to set up prior to the meeting and do a lot of retrofitting. The building is not equipped for that. She referenced the need for the two-floor design for the existing and future parishioners of St. Francis. Also, as it was mentioned previously, they are requesting to relocate the playground and equipment to be outside the 30-foot green belt. St. Francis will update the city and the residents about any changes to the traffic and parking situations during construction. St. Francis will also inform them of any weather-related schedules and that also includes demolition work, drainage and tree planting work. She thanked the staff, the consultants, and the volunteers for all their efforts as it related to the project. She mentioned she was very grateful and then introduced Colin Gallatin.

Colin Gallatin, project architect and designer with Merriam Holt Powell Architects. He indicated that he would discuss the design plan and the overall aspect of the project, as well as the specific components that deal with various aspects of the project as it relates to the demolition, renovation, the new construction, and all things required for a project of this size. He started with the demolition scope of work. They will be removing a good portion of the impervious flatwork, roughly 33,000, and replacing it with around 25,000. So, they will be reducing the impervious coverage significantly. It would be the four ancillary buildings along the North green belt and a portion of the fifth building in the back to be removed and will, as a result, reestablish the green belt. The square footage of the existing buildings that were removed, will be recovered by adding meeting rooms and spaces on the second floor. The old building was used for storage. So, with the overall demolition they have reduced the overall square footage from 52.99 to 49.55. The overall square footage would be 25,000. The new building would be 24,000 square feet, with the first floor being 15,000 square feet, and the second floor being 9,000 square feet. They will be renovating an existing portion of the

building to create a main entry to the church, so that it separates the school. This would be a Class A 3 Occupancy. The building will be all steel framing construction. The Parish Hall will have a new fire sprinkler system. The height of the structure will be 34 ½ foot tall, which will match the existing building that they are tying into and manage to stay under the 35-foot height requirement. There will be AC equipment, welds, and AC units on the roof top which will be screened by a 6-foot parapet wall that will help reduce the AC units' sound. By the AC units being on top of the roof, it will keep them out of site. The building will be ADA accessible. He added that they will not be expanding the parking, but they will be updating the drive, as well as the drainage. He added that they are putting in new inlets and curbs. They plan to add 204 new trees and they will be demolishing 31 trees. Colin Gallatin introduced Craig Koehl.

Craig Koehl, Urban Forester. Craig Koehl indicated that he was retained and contracted to evaluate the site in conjunction to the City Ordinance 946. The tree ordinance requires 1 tree per 2,000 square foot lot. The overall lot size for St. Francis is 15.516 acres, which is 632,309 square feet. He indicated that he made his determination based on 173 trees that he surveyed. There are 113 qualified trees and 14 trees that need to be removed due to poor condition and safety concerns. His recommendation is to plant 204 qualified trees that will be 3 inches in measured diameter and will meet the minimum density requirements. All trees' species were selected based on the city's qualified tree list and for the appropriate growth space. For example, Little Gem Magnolias, Loblolly Pines, Bald Cypress, Cedar Elms, Mexican Sycamores, Eagleston Holly, Red Maples, and Shumard Red Oaks. The Little Gems and the Eagleston Hollies were selected primarily for the North Side property line because they tend to mature at a lower height and it would provide appropriate screening for the adjacent neighbors. Along the West property line a blend of Loblolly Pines will be planted, so they won't interfere with the overhead power lines. All these new trees will have a new irrigation system. It's intended for the new trees to be planted after the construction.

Andrew Lonnie Sykes, Professional Engineer. He indicated that he does a considerable amount of work within the City of Piney Point Village and he is familiar with the drainage requirements. The rules have specific limitations to grading and elevations. It requires for runoff to be captured and directed into a public right-of-way. They cannot change the elevations along the property lines, which sometimes requires them to account for water from other sources until those sources have been redeveloped. The drainage plan has to account for all the new improvements and capture all of the runoff, which means they may need to add downspouts, inlets or drainage lines. For the driveway, they are adding inlets in the middle of the drive to account and capture for that fast runoff and to get the water out to Piney Point Road. There is another area in the back of the property where the playground is located, which is outside the construction area, and they are going to be doing some regrading. They have created some drainage and grading in the back, so that they can capture runoff from the back of two or three lots and that runoff would then drain into the water ditch on the Westside of the property. Lonnie Sykes added that they have to account for proper pipe sizing, slopes, and making sure that they are conveying the appropriate rate, velocity, and capacity. The drainage plans that have been submitted to the city have been approved. The demolition of the structures within the greenbelt has opened up enough area to allow for additional storage capacity in case there was an issue. However, he doesn't think there will be any issue in regard to the drainage. Lonnie Sykes introduced Tellef Tellepsen.

Tellef Tellepsen, Principal Builder. Tellef Tellepsen introduced himself and stated that Tellepsen Builders is a family owned and operated business. It has been in operation for over 122 years in Houston and in the surrounding area, as well as the Villages. He briefly went over the construction schedule and indicated that the project would start at the end of May of 2022, as soon as school is out. He indicated that the project is expected to take about eleven months in total. They would start with the demolition and then work on the foundations, followed by the hanging of the steel. The steel work should be completed by the summer of June 2022. So, all of the loud noise would be done by then and then they would begin working on the interiors of the building by August of 2022.

Ashton Taylor, HVAC Senior Acoustic Consultant, introduced himself and indicated that he was hired as a consultant to make sure that the new HVAC units and equipment did not increase the noise levels of the existing units. So, the first thing that was done was to quantify the sound level that they had existing along the North side. They had big chillers on the North West side, existing units, and noted that there were some existing buildings and some of these were relatively close to the property lines. So, they calculated and consolidated all of the new equipment and added that to

the roof. He also noted that the units are down in the weld and with that there is a natural sound barrier. The units are screened with a six-foot parapet wall that also helps with the sound of the units. They calculated the sound levels that the new equipment would make and they used manufacture published sound data and standard acoustical calculations data to do the model of the sound at the fence line. It turns out that with the modern units, the sound is considerably lower. The distance to the units is 90 to 100 feet away from the property line. It is somewhere in the decibel level of 6 to 8 range. They are considerably lower from the existing levels and that was the primary goal and they think they did quite well.

Steve Lovejoy, Head of School for St. Francis Episcopal. He discussed the construction schedule as it related to the school traffic plan and the car pool schedule for drop-off and pickup. The North side entrance will be closed for next year, so he referred to page 105 in the packet. He referenced the diagrams in the packet, green being lower school and red being middle school traffic. He mentioned that he has been with the school for eleven years and for the first six years, the car pool only ran on the green route. However, he changed that back when he was the head of the middle school, only because it would help with students being closer to the building and getting into their classrooms easier and not for the need for traffic. He referred to page 107 and discussed the afternoon car pool traffic for both lower and middle school and indicated that it wraps around, therefore helping with stacking traffic. On page 108, for afternoon traffic, they are adapting the schedule to be more like the 2010 to 2016 schedule. The idea is to stack it, wrap it and snake it around and enter all the students on the South Side of the property off of Piney Point Road. Their friends at Ecclesia Church have offered parking if they need it to help with traffic on Piney Point Road. They are doing all that they can to help alleviate traffic and they will assist with any issues that come up during construction.

Colin Gallatin, with Merriam Holt Powell Architects, wanted to talk about the security aspect between the school and the church. There have been questions asked as to why can't the church use the school facilities? He indicated that here in this day and age, there have been several issues raised in regard to school safety, so there has to be a clear separation. They do not want to be mixing visitors with the school. The furniture is not suitable for the adults. So, they have made those modifications from the first and second floor design plans.

Rector/Pastor, Stuart Bates wanted to wrap up by concluding that they are doing everything that they can to comply, such as tree planting, drainage work, updating security, and making facility improvements. He indicated that they were ready to answer any questions as part of the last phase of the presentation and thanked everyone for listening.

Vincent Marino talked about order for the public hearing. He asked the public to limit their questions and to go in the order in which they spoke in their presentation.

Henry Kollenberg addressed the chairman, Vincent Marino, and indicated that he had a number of issues to discuss and go over, as it related to the project and it would include everyone in the presentation. He mentioned that several of the residents had asked him to speak in regard to a number of questions that they had. John Williams had submitted a letter to the commission, as he could not attend the meeting. Neighbors, Lindsey Boston and Charles Campbell, were on Zoom as they also could not attend the meeting. He announced to the audience that he would like everyone to turn to page 55 of the presentation handout, elevation overlay. It showed the front elevation and the new elevation, which is considerably taller and bigger. They show to have ten large windows along the second floor. When he first saw the plans, he asked about the windows and rooms on the second floor and they indicated that the rooms above would be used for classrooms. This new building would be 10 feet closer to the North side of the existing building. He asked for the need of all of the classrooms. He mentioned that he does realize that the Parish Hall needs to be redone. If you look at the old Parish Hall, it is 2,085 square feet and the proposed Parish Hall is 3,146 square feet. That is fifty percent bigger than the original room. The first floor will be 3,100 square feet for meetings just like this one or they could have smaller meetings if they wanted to and arrange to make them fit into smaller rooms with dividers. The classrooms will be 3,800 square feet. There will be a small one and three large ones that would be sixty percent larger than the size of this room. When the discussion came up about adding new windows in the renovation project back in 2000 for the school, the discussion mentioned that the windows would be facing Ecclesia, but now the large windows are facing the North and the residents are concerned. The 2000 SUP was for a major renovation project for the school and the Christian Education Center. He referred to page 33 of the handout. He stated that there were several large rooms, classrooms, and an auditorium. He indicated that he had been in

the auditorium. The auditorium can accommodate large meetings and they have nice conference rooms. They could use the conference rooms when the school is not in session.

It was also mentioned that there was a school security issue, which he understands that it is an issue that concerns the school, but, again, they could use the conference rooms and the auditorium while school is not in session. It has been explained that they are going to use these new meeting rooms while school is in session. The rooms have the capacity of holding anywhere from thirty to forty people each. If this happens during school, then where is everyone going to park? During construction they are going to lose fifty parking spaces. He questioned where are all the people going to park? So, the problem is why they would use that kind of space during school. Why not task another location outside of school to be used? If St. Francis uses this facility the way they want it to be used, the site is not going to have enough parking and it is not big enough for that kind of use. They have a South campus, two campuses and one school. Perhaps, they could move some of their other facilities. The discussion has remained as to why they need these classrooms. This campus will over burden the site. They indicated they have been in discussion of this project since 2018. Well, their classrooms along the North side have been on their plans since then, but it's only been obvious that the plan has been recently presented with the large windows and the classrooms shown on the second floor. He also mentioned that it was referenced that staff had previously approved the plans, but he added that that was incorrect. He indicated that there is a problem in regard to the playground.

Henry Kollenberg asked how come the church and the school are unwilling to cooperate and work together to reduce the footprint, the amount of air-conditioned space, and the number of spaces for parking. For the discussion about the noise, he referenced the gentleman who spoke about the noise and discussed how he was tasked with making sure that the AC Units would be no louder than what the Church had previously indicated. Henry Kollenberg continued by stating that that was the wrong question to ask. So, they indicated that they make a quality project, they have all the cut sheets for Daikin, they manufacture here and have a quality product and that the new units are more energy efficient and quieter. However, what St. Francis should have asked was how could they reduce the noise as much as possible using the new technology. In the 2000 SUP, St. Francis indicated that the units on the ground would not be any noisier than the two 145-pound chillers that sit on the parapet. They promised that they wouldn't be any louder, but Henry indicated that they were and they didn't take care of it. Lauren Reed is out of the country, but she asked Henry to speak on their behalf and indicated that they complained and it took meeting after meeting to get St. Francis to help with the noise. They had a 7-foot louver wall, but it should have been a ten-foot wall. Per Lauren Reed, there is still a problem. In the 2000 SUP, there was no sound limit required. When Lauren Reed started complaining, St. Francis indicated that they complied to the ordinance and they stated that there was no sound limit specified. So, Henry Kollenberg stated that they need to address all of the issues mentioned and there needs to be a sound limit. As John Williams suggested in his e-mail, there needs to be a limit if this is granted and he suggested 30 decibels. He referenced that the Daikin website references the specifications, but there are no specifications in the cut sheets and they made no reference about noise.

Henry Kollenberg started to talk about the traffic and mentioned that Mr. Lovejoy indicated that the traffic was not that bad. Most of the people that live on Cheska would disagree. If you are coming out of Cheska at about 7:45 a.m. and 8:15 a.m., someone has to let you out. If you are going south, it will take you a long time to get through. The officers try and do their best to get you through as safely as they can. The 2000 SUP said that they would improve the offsite traffic by fifty percent and that is still the issue. He referred to the site plan schedule that was provided in the packet by Mr. Lovejoy and referenced page 105. It shows vehicle queues for stacking for school drop off and pick up and page 106 shows the layout and indicates a star for lower and middle school drop off. Then, page 107 shows afternoon pickup and again it references a star. On page 108, the star that referenced drop off and pick up during construction, doesn't show. Nothing is referenced. He indicated that the chart that is shown is incredibly misleading and what is shown is not going to happen. For example, the Ecclesia line shows thirty stacked cars and that is probably true if a car comes in on Piney Point and goes down and around and comes all the way back up and lets the kids off and gets back on Piney Point Road. Then, the kids have to walk across all this traffic to get into the school and he stated that would not happen. He indicated that what's actually going to happen is that people are going to get in line and drop off where there is a little gate between St. Francis and Ecclesia, but there are no stars showing you where people are getting on and getting off. Also, he referred to the same thing with the

82 stacked cars, where everyone would be dropped off on the South side. The site plan shows two lines and after that the cars are not stacked anymore, they are leaving. So, it gives an unclear view. He referenced page 109 and indicated that St. Francis is proposing, as part of this SUP request, to have the City approve a morning drop off which includes only the current South parking area and completely eliminate the cars that go around the path through the North property. He asked what will happen during construction? He counted about 40 to 50 parking spaces that will go away once construction begins. The contractors are going to be using 8 parking spaces during construction, but there may be more than that and there is going to have to be offsite parking for that. Another question he had is where is church staff going to park? Are they going to relocate during construction? He reemphasized that the parking issues have still not been addressed.

Henry Kollenberg talked about the playground. He indicated that there is a playground in the back. In the 2000 SUP, it was required for St. Francis to capture the water in the back and to reestablish a swale. A few of the properties have always drained onto St. Francis and it takes water from 9, 25 and 29 South Cheska Lane. So, in 2018, St. Francis replaced the playground and instead of taking it out of the 30-foot greenbelt area, they moved it 5-foot from the back fence at the property line, and it was a clear violation of the 2000 SUP. Greg and Amanda Kim live at 9 South Cheska Lane and they spend a lot of time in their backyard, but they have a drainage problem. He added that they have not seen a plan to remove the playground or a drainage plan to account for the playground. The playground was not part of the SUP, but Annette suggested that it be made part of the SUP so, that the playground issues could be addressed. He talked about the 24-inch pipe located up front. That is in the city right-of-way, which the city put in and it is heavily covered up and St. Francis has failed to maintain the ditch. So, if we had a storm the ditch wouldn't function as well as it should.

Henry Kollenberg started the discussion of the trees. He mentioned that everyone heard that the trees will go away, but they will be replaced by trees that were selected because they don't grow very tall. Therefore, any blocking of the view of the second-floor windows to the North would be minimal, at best, both now and going forward. John Williams, a resident, suggested that in his email, he wished that St. Francis would save all the trees instead of removing them from the greenbelt area.

So, Henry Kollenberg concluded that there are a host of unanswered questions in regard to the SUP. He continued by stating that St. Francis would like for you to believe that they have accommodated all the neighbors, but they really just want to build what they want to build in an attempt to justify it. There is no indication that they need almost 4,000 square foot classrooms on the second floor. They have an expanded facility, which can be used for the needs that occur during the school day. They also have the ability to configure space within the school to be used in cooperatively when the school is out or not in session. He concluded that there are still drainage and parking issues that have not been addressed.

Vincent Marino stated to the audience that they would introduce the speakers again and if anyone had any questions or comments for them that they could ask them directly during that time. Vincent Marino announced and called for **Colin Gallatin**, the project architect, to come to the stand.

Tom Daley introduced himself and stated that he was a resident and neighbor of South Cheska and wanted to thank Henry Kollenberg for bringing up a lot of the concerns that the Cheska residents have. He would like for all of the concerns, made by Henry, to be addressed. **Colin Gallatin** indicated that a lot of his concerns had to deal with the usage of the campus, but in regard to the windows he added that they had two meet-and-greets and during those times they proposed to add a film to the windows on the North, so that no one is able to look through to the backyards of the four East properties. The addresses for those properties are 26, 27 and 28. **Margaret Rohde** asked about the film and asked what it does. **Colin Gallatin** responded that the film is translucent and it is like a frosting that covers the windows so that they cannot see outside. **Margaret Rohde** asked if someone could see out of the windows or see someone eating dinner. Colin indicated that it prohibits you from actually seeing something, much less someone. Maybe if someone was a few feet from the window, then perhaps they could make out a shape. He added that all they would be able to see is the natural light coming through the window. He stated that they shouldn't have any concerns with someone's privacy. **Rector/Pastor Stuart Bates** asked for Colin to verify the distance from the building to the fence. Colin responded that there is a 30-foot setback and then the building is another 54 feet, so there is a total of 84 feet to the fence line. **Vincent Marino** asked if there is anything in the 30 feet, such as parking. Colin responded that there isn't anything in the 30 feet just green space and nature.

Margaret Rohde asked if the 30 feet was a green space or was it a side yard setback regulation. Colin responded it was the required city setback.

Vincent Marino announced and called for **Craig Koehl**, the Urban Forester. Cary Moran introduced herself as the City Forester for Piney Point and indicated that she has worked with Craig Koehl and St. Francis in regard to the project. She stated that she did a preliminary review of it and she felt like they had complied with the tree ordinance and project, as far as the quantity and size of trees that are to be replanted. She indicated that originally, she was concerned that they were going to plant Japanese Yews on the North side of the property line, because, due to the freeze, a lot of the Japanese Yews didn't make it. So, St. Francis decided to switch them out for the Little Gems Magnolias. Cary stated that the Little Gems get quite large. A resident planted some Little Gems on Williamsburg and they have grown up to their second story. Cary indicated that the Japanese Yews will grow and it will make for a good screening and it shouldn't affect the power lines since the power lines are a lot higher. Joe Allen, a resident, asked why he couldn't have Live Oaks instead of the Cedar Elms on the West side of his property. Cary Moran stated that she did talk to St. Francis about that. She indicated that maybe they would consider it and stated that that is the playground area in the back.

Craig Koehl indicated that they could definitely look into that. **Rector/Pastor, Stuart Bates**, stated that they discussed the trees along that side in the meet-and-greet and asked George Jumonville to speak in regard to that issue. George Jumonville indicated that they have added 21 Loblolly Pines and 4 Eagleston Holly trees to that East side. There are 65-gallon trees that will be 3-inch caliper and will have drip irrigation. George added that they are spending a lot of money on planting 204 new trees.

Tom Daley wanted to confirm with Craig Koehl and Cary Moran the amount and types of trees that will be planted along the North side. Craig Koehl stated that 30 trees would be planted and it would be a combination of Little Gem Magnolias and Eagleston Holly trees. Tom also wanted to know who had decided to take out the 17 trees that were not liable and healthy and Craig Koehl confirmed that he made that decision. Cary Moran stated that she went with Craig Koehl and agreed that those trees that were identified should be taken out.

Bill Burney asked if it would still be okay if they took all the diseased trees out and interspersed the new trees. Cary Moran agreed and indicated that they were and that St. Francis had a landscape plan on page 38. Craig Koehl stated that they are planting 45 new trees on the North greenbelt. There are a few trees located on the greenbelt that will be taken out. The trees are numbered as 52 and 53 and near the playground area it is 82 and 84 that need to come out. Craig Koehl added that the trees near the power lines, number 55 and 56, will also have to be taken out. Most likely this is due to CenterPoint cutting and pruning them at some point, causing cavities which eventually resulted in the trees' very poor condition. Margaret Rohde asked why St. Francis had to plant so many trees. Cary Moran mentioned that there wasn't a tree ordinance yet for the 2000 SUP. Since then, and due to the new project, they are no longer grandfathered. The tree survey was finally done, and it was determined that they needed to plant 204 trees. Vincent Marino wanted to confirm that in the presentation packet it shows that 204 new qualified trees had to be planted. Cary Moran confirmed that 204 new trees had to be planted. Vincent confirmed that because of the new tree ordinance, St. Francis had to plant 204 new trees. Cary Moran agreed.

Vincent Marino announced and called for Lonnie Sykes, the Professional Engineer.

Lonnie Sykes discussed the playground. He added that he was part of the 2000 SUP. He was not aware of the 30-foot green space area back then, but they were working in a different area. However, he indicated that they are moving the playground area out of the 30-foot greenbelt. Lonnie said that he has added half a dozen inlets and some extra pipe in the back of those lots to capture more runoff. Also, that area will be regraded, but that plan will need to be approved by the city. The city inspectors will make sure that the plan has been implemented. The city requires an as-built and the survey data will make sure that the drainage is constructed accordingly. He discussed the front areas and agreed that the ditch needs to be regraded, but that will open up as they transition to a 24-inch, then to an 18-inch and then into a 12-inch pipe, according to the drainage plan. He would be adding more inlets in the driveway area, which will capture runoff much faster. So, all that water should go into the city storm drain with no problem. That green space will help with the runoff. He felt very comfortable that the system that he designed would work and work very well. Henry Kollenberg stated that Joe Moore had not received any drainage plans in regard to the playground area. Joe Moore confirmed that he had not. Lonnie Sykes apologized and stated the he would send them to the city right away. Henry asked if the water from the back of the lots of 9 and 15 would continue to drain back in that area.

Lonnie indicated that wouldn't change and the water would be captured and accommodated. Lonnie mentioned that typically everyone is responsible for their own runoff and that water is to be designed to take it to the street right-of-way, unless there was a standing agreement or private easement agreement. However, residents are responsible for their own water and it's expensive. Henry Kollenberg asked if Lonnie Sykes had read the 2000 SUP and Lonnie confirmed that he had not. A resident asked if the swing sets would be moved and what was the situation with some of the storage sheds or side buildings in the back of the property. She mentioned that they aren't maintained and dirty and questioned how they got there in the first place. Lonnie indicated that the entire playground area and all of its elements would be relocated and it would be at least 33 feet away and he wasn't sure about the storage sheds or out buildings. Lonnie referred to his drainage exhibit to discuss the playground area. Tom Daley stated that all the questions are relevant and asked how can the residents of Cheska be ensured that St. Francis won't do anything that they aren't supposed to after they are all in agreement on the plan and after construction is built. He concluded that St. Francis wants to be a good neighbor. Colin Gallatin stated that those temporary buildings were pre-ordinance and nothing in the ordinance indicated that the storage shed or out buildings couldn't be there. Henry Kollenberg disagreed. He indicated that those three out buildings near the playground area were put in sometime after the 2000 SUP and the 2000 SUP clearly indicated a 30-foot greenbelt area and the city ordinance also refers to a 30-foot side yard.

Vincent Marino announced and called for Tellef Tellepsen, the Principal Contractor for Tellepsen. Tom Daley questioned his 11-month timeline for the project and stated that he can't get a house renovation project done in that much time. He also indicated that there are material and labor problems. **Tellef Tellepsen** indicated that commercial runs a lot differently and once they receive the project bid, then they would start ordering materials early, at least two to three months ahead of time.

Vincent Marino announced and called for Ashton Taylor, the Senior Acoustical Consultant. **Ashton Taylor** indicated that before he took any additional questions, he wanted to address some of Henry Kollenberg comments. For the most part, they had referenced that they would not exceed the existing sound levels and he is probably right and that wasn't the right answer, but they are reducing the sound levels considerably. He mentioned that he was a consultant brought in after the fact and not really knowing about the job, but he had to establish that goal to at least not make it any worse. So, with all the units running they showed the sound levels to be at 53 to the fence at the property line. They are reducing that sound level and it is predicted to be at a level of 43. That change would be considered as 10 DB, which is half as loud and that would be a significant change. Ashton mentioned that the lowest sound ordinance that he knows about is from San Diego, and that refers to the night time sound ordinance decibel levels to not exceed 50 DBA. Henry Kollenberg corrected him and indicated that it was a 40 DBA at night for residential. Ashton mentioned that this was a quiet neighborhood, but general background noise is typically measured at 50, which is still quite low. He also stated that at night the decibel reading levels in the area are low since the units don't have to work that hard. He talked about the sound data and indicated that he can't get that information. If you go to the website, you can get the manufacture information and the photo of the unit only. Ashton Taylor indicated that you would have to go to the mechanical engineer to get the sound level information and manual information. He mentioned that, per Henry Kollenberg's comment, they did not do a study on the quieter units possible to install, but he added that the new units and equipment are a lot quieter in general. Henry Kollenberg stated that the consultant, Ashton Taylor, was hired to do the study based on the equipment that St. Francis has proposed. He agreed that he obtained the information and made his determination based on the sound for those units. He confirmed that he wasn't a mechanical engineer, but the mechanical engineers did select the equipment. Henry referred to the 2000 SUP, which mentions the units being in a ten-foot weld with sound proofing. In regard to the two 145-pound chillers, he asked if Ashton had looked at the previous mechanical plans. Ashton Taylor indicated that with the shorter equipment they didn't need it, but he may have recommended some insulation. Colin Gallatin mentioned that they are currently showing a metal panel and the plan doesn't call for insulation, but if they think it needs it then they can add it. Colin indicated that the readings are in the low 40's, so he didn't think they would need it. Henry Kollenberg stated that St. Francis could make it quieter if they added padding, as suggested to do twelve years after the 2000 SUP. In regard to the chillers, Henry stated that they weren't going to use it for this project since they were close enough and wanted them to agree that was a fair summary. Colin Gallatin indicated that the equipment is different and they do not have any chillers. Tom Daley asked if they wouldn't mind

adding a specified sound limit not to exceed, as a way to show the neighbors that they are truly trying to accommodate their concerns. Ashton Taylor indicated that it was up to St. Francis. Louise Richmond indicated that a question came up about the 30 DBA, so Ashton indicated that he had never seen 30 DBA for outdoors and mentioned that it's just not an outdoor limit.

Vincent Marino announced and called for Steve Lovejoy, the Head of School. He informed everyone that they are under new administration and the school has made a lot of internal changes since 2017. During that time, they wanted to work really hard in partnering with the city and the neighborhood. He mentioned that in the past they have helped the city with setting up internal meetings and etc., as it related to Covid. Steve Lovejoy discussed the morning car pool and indicated that Henry Kollenberg was absolutely correct and referenced the morning times between 7:45 to 8:00 a.m. as the heaviest traffic on Piney Point Road, but by 8:05 a.m. that traffic has cleared because that is when school starts. He confirmed this by stating that he is the one closing the doors. He mentioned that the stars on the site plans do indicate the carpool drop offs and that would be one issue he would address mornings after construction. He added that post construction would be the same as page 106. It would be the exact same drop off and pick up. Henry Kollenberg asked if his diagram in the packet was an error and Lovejoy confirmed that it was an error. During construction, he added, he wants to make sure that carpool is safe for the kids, as well as their families and the neighborhood. He mentioned that if they have to make adjustments, they will make those necessary adjustments. He stated that he was fully confident that they could make the car pool work during the construction time. He indicated that they do have offsite parking in the case that they were to have a significant school or church event; the staff can park off site and be bused in. Steve Lovejoy indicated that in regard to the mention of shared space, they currently use all the space and they do not even have enough space for the school as their programs have expanded since 2000. However, the church and school do share the use of the Parish Hall space and when using it, it has its challenges. So, Henry Kollenberg asked, in regard to the shared space, if areas that used to be Christian Education facilities that were covered by the 2000 SUP have been taken over by the school because of the school expansion. Steve Lovejoy stated that he didn't have access and wasn't familiar with the 2000 SUP or those spaces he referenced as Christian Education facilities. Henry Kollenberg confirmed that Steve Lovejoy did not have a copy of the 2000 SUP that governs the use of the facility that he currently runs. Lovejoy confirmed that he has the 2000 SUP now and that their booking is much better than it used to be and they will follow policies and procedures going forward. Henry confirmed that with the school expanding facilities, it has made it more difficult for the church to use their facilities. Again, this is being driven because of the school expansion. Lovejoy disagreed and indicated that the real reason was due to their programming and how they deliver education to the kids and that it had nothing to do with the expansion of the school. Henry Kollenberg referred to St. Francis 2025 Strategic Plan that is on their website. He stated that it mentions that they are going to make facility changes to conform with current curriculum. So, he wanted to confirm that meant that they were going to expect more changes and if kids would be using the new 3,800 square feet of classrooms. Lovejoy indicated that if they made enhancements, it would be within the school facility and they would not expand. Henry Kollenberg stated that they would be limiting the church's use and the facilities previously used. Lovejoy disagreed. Henry indicated that he has been in some of the conference rooms and wanted to know why the church can't use those conference rooms instead. Lovejoy indicated that they can't even use those conference rooms as much as they need to and stated that they are using all of the space for the education of the kids and all of the space is being used during the day.

Vincent Marino announced and called for **Colin Gallatin, with Merriam Holt Powell Architects**. No one had any questions for Colin Gallatin. Louise Richmond asked for Curt Wissmiller to go over the concerns that the residents had in regard to the AC noise.

Curt Wissmiller, the Director of Facilities. He stated that he talked to the Reeds at the meet-and-greets and they had concerns about the AC Units and the noise. He discussed with them the chillers in general and informed them that they were upgrading them. Chillers have a life cycle of 22 years and he ensured her that the new units will be much quieter, so she was happy about that, but they were still working on that.

Vincent Marino announced and called for the **Rector/Pastor, Stuart Bates**.

Rector/Pastor, Stuart Bates, was ready to close the presentation and mentioned that he wanted to reestablish the greenbelt and ensured everyone that nothing will be placed back in that greenbelt area. He mentioned that he arrived in 2007 and some of this was before his time and that everything that he has heard that they have tried to address like the window treatments, drainage, and trees, he would like to make sure that they get things rights. He acknowledged that they run a very busy schedule and he indicated that they need the extra space.

Public hearing stopped at 9:10 p.m.

5.) **Discussion of Public Hearing/Specific Use Permit Request/St. Francis Episcopal Church/Request to Build a New Parish Hall/and to Allow for AC Roof Top Units/and to Relocate the Existing Play Ground Equipment:** Margaret Rohde indicated that she had a significant number of questions, per the questionnaire she generated earlier that day to St. Francis. She wanted to refer to the questionnaire and comments for a later date. Margaret had comments in relation, to not enough or missing information on specific items listed;

- Moving of the playground and equipment.
- Drainage that the engineers had not received.
- In regard to parking spaces, are they adding or subtracting.
- The monument signs, not a lot of information.
- Questions in regard to the resident concerns.
- Draft ordinance still not fully completed with all the specific details.

Bill Burney suggested that perhaps the Commission would need another workshop to discuss all of the comments.

Louise Richmond, with St. Francis, wanted to continue and go through the list since they had already gone through the list that was created by Margaret Rohde.

The Commission agreed to continue.

Margaret Rohde addressed David Olson, the City Attorney, and wanted to discuss the church, its uses, and the five things that the churches are supposed to be following as specified in Chapter 74, Section 213 Churches. She also wanted to know if they are following the codes and if they are allowed to continue or expand, as she referenced the five items listed in the ordinance.

David Olson indicated that the ordinance specifies how a church operates. They still have to apply for a Specific Use Permit. A Specific Use Permit is a De Facto Amendment. He stated that it is no different than the city changing or amending the zoning ordinance. He talked about the expansion and indicated that the church can't expand due to the fact that it is restricted in the permit itself and as an exception to a permitted use.

Margaret Rohde referred to item number 3) on the ordinance and questionnaire list. 3) *Where lighting is provided. It shall be in conformity with section 74-245 (d) herein;*

David Olson indicated that it doesn't mean that you can't amend it; the Commission can make it stricter than the permit that is approved in the application.

Margaret Rohde referred to item number 5) on the ordinance and questionnaire list. 5) *No structure shall be built or expanded closer than 50 feet from the front property line or 30 feet from the side or rear property line.* Margaret Rohde asked if they had a permit for the playground. St. Francis indicated that they did. **Henry Kollenberg** indicated that they did not for that location. **David Olson** indicated that where St. Francis is relocating it, as part of the 2000 SUP, is permitted, but the current location is not permitted.

Margaret Rohde asked David Olson if they need to be in compliance with city codes prior to granting a new *Specific Use Permit* or should they address all the issues and deficiencies first?

David Olson stated that City Council has the authority to expand on those conditions and make them more stringent or amend them. They can look at all those specifics that are being proposed and revise the ordinance to fit that proposed amendment.

Margaret Rohde mentioned that she had never seen the 2000 SUP Ordinance. Vincent Marino also commented that he had not seen it as well. She wanted a copy for her and the Commission to look at.

Margaret Rohde stated that she would like to make sure that all of the city ordinances have been met. She understands that the Columbarium did finally get permitted. However, she wants to ensure that everything has been reviewed. She suggested a review committee. **Don Jones** asked how does one know if anybody is in compliance. **Margaret Rohde** asked about exceeding the lot, being over 50 percent coverage, and why St. Francis had to plant 204 trees.

Craig Koehl indicated that the City of Piney Point Tree Ordinance wasn't available until after the 2000 SUP was granted.

Henry Kollenberg stated that the tree ordinance had been adopted in the last ten years or so. In general, that when you take down a tree you would need to apply for a permit, unless you have a lot of trees on the property you may or may not need to plant. However, for a new development or any new project you would need to abide and comply by the tree ordinance. Henry added that no one knows how many trees St. Francis took down. People did that all the time. In general, pre-ordinance did not require, retroactively to require, residents to plant if they didn't have a certain number of trees on their property.

David Olson indicated that this project requires St. Francis to come into full compliance with the Tree Ordinance.

Margaret Rohde wanted to confirm that the number of trees to be planted would be in the SUP ordinance.

David Olson confirmed.

Margaret Rohde wanted to ask about the usage of the facility, how the new facilities would integrate into the mission and the purpose of the church, and how school safety and separation from the public spaces from the church would work out, as mentioned in the presentation as a reason for having separate church meeting spaces. Was this a school accreditation issue? Was this a church diocese requirement? Margaret Rohde asked where the usage and separation was coming from.

Rector/Pastor, Stuart Bates, stated that the usage is integral in the church because the area is used for meetings all week long and they can't use the school for meetings. **Stuart Bates** indicated that they are wanting to build a new Parish Hall, which is the project goal along with a new library, kitchen, two new bathrooms, offices, storage space up on the third floor and medium size classrooms for outreach projects. He indicated that they are presently using the space for what they are currently doing now, but he mentioned that some of the areas do not require as big as space as the main Parish Hall.

Steve Lovejoy, Head of School, indicated that there isn't a separate entrance for the church. So, once you enter in the side door, you can go directly into the school. He indicated that there will be a separate access door and the door will include an entry access code into the school campus.

Stuart Bates, Rector/Pastor, mentioned that they do not want someone from the church to enter directly into the school and have security swipe someone's driver's license. So, now they would have a direct entry into the church.

Margaret Rohde added that that is fairly standard for entry into a school. As a parent, you have certain access privileges, but if you were a member of the public, then someone would have to stop you by the front door and require you to swipe your card prior to entry. Margaret asked if anyone could still get into the building by a different access point.

Steve Lovejoy, Head of School, indicated that everything is locked and the school has security.

Margaret Rohde mentioned that the draft ordinance didn't have a lot of detail. She asked if Joe Moore had everything that he needed. He indicated that they originally started reviewing the drainage plans back in 2020 for the proposed development, and they made sure that all the drainage criteria were being met. Joe Moore stated that they issued a No Objections letter back in January of 2021. He confirmed that he had not received the playground revised drainage plans from Lonnie Sykes, as mentioned in the presentation. Lonnie Sykes confirmed that he would send it to Joe Moore right away. Margaret Rohde indicated that there was not a lot of detail in regard to the relocation of the playground and that there were no specifics on what the playground would actually look like.

Margaret Rohde indicated that there were a lot of resident comments and e-mailed communication in regard to drainage. Margaret asked St. Francis if they felt like they had addressed those comments and if they intended to get back with the neighbors on those important issues.

Lonnie Sykes, Professional Engineer, stated that he would send the drainage plan to Joe Moore, but he felt confident enough that they have way more volume and capacity and they did oversize the pipe to make sure that there are no problems.

Margaret Rohde wanted to know if the parking lot was following the same footprint and if they are adding more drainage. **Colin Gallatin** indicated that they are cleaning it up by adding clean curbs and adding inlets within the center of the driveway.

Margaret Rohde asked about adding more parking areas. **Colin Gallatin** responded that they are adding one new additional parking space.

Margaret Rohde asked how many total parking spaces St. Francis currently has on their property. **Colin Gallatin** responded that they have 213 total parking spaces.

Colin Gallatin, Project Architect with Merriman Holt Powell, indicated that the IBC, International Building Code, suggests that the parking capacity is calculated by how many seats you have in the sanctuary and not in the ancillary buildings.

Henry Kollenberg stated that that would be true if that was just the church. He indicated that there was no study that he knew about that would confirm the parking for what St. Francis has.

Margaret Rohde asked if the 213 parking spaces were for both the school and church. **Colin Gallatin** confirmed they have a total of 213 parking spaces for both the school and the church.

Margaret Rohde asked if they have the parking usage from Ecclesia. **Steve Lovejoy** confirmed that they have 18 parking spaces. **Margaret Rohde** asked about offsite parking and **Steve Lovejoy** responded that they have used Chapelwood Church and Memorial Drive Presbyterian Church at times for special events. **Louise Richmond** asked for Steve Lovejoy to explain the special events and indicate how often they have those special events. **Steve Lovejoy** stated that they hold special events about once a month. **Stuart Bates** indicated that because they have scheduled events, they can stagger certain things so to plan accordingly. Stuart Bates indicated that they do a number of different things to accommodate parking, but he mentioned Sundays was a totally different thing.

Tim Dash, resident of South Cheska Lane, indicated that people are parking on his yard because it is on a curb and it's happened a number of occasions and there are always 6 or 7 cars. **Stuart Bates**

indicated that they would make sure to address that. However, it was confirmed that it hadn't happened since Covid.

Margaret Rohde asked about the construction plan on page 104 and how it showed construction fencing around the playground area and asked about the usage of the playground. **Colin Gallatin** indicated that once the demolition starts in the summer, they will work with the builder to relocate the playground and hopefully return the playground back to the kids before school starts up again. Margaret Rohde asked about the playground usage and what grade levels make use of it. **Steve Lovejoy** indicated that the playground is used by all of the grade levels throughout the day being both lower and middle school.

Margaret Rohde asked about the monument signs. Margaret mentioned that there were no details or specifications in regard to the signs. **Colin Gallatin** indicated he had a 3D version drawing, but he mentioned the new sign would be a low 4-foot monument brick wall sign about 14-feet long. He indicated that he didn't have it, but they were in the document drawings.

Margaret Rohde asked about the lot coverages and how it shows two different lot coverages referenced as 51.47 and 52.99. **Colin Gallatin** indicated that the 51.47 was prior to the playground being added to the total lot coverage. By adding the playground, it bumped it up to 52.99. **Colin Gallatin** stated that when the playground gets relocated, it will be much smaller in order to get below that 50 percent lot coverage.

Margaret Rohde asked **David Olson** about the tree replacements and if the Planning and Zoning Commission could require additional standards that go beyond what currently is in the tree ordinance. For example, height, diameter, species and location. **David Olson** stated that as long as they had a rational basis, they could do that.

Margaret Rohde asked about the architecture rendering on page 41 and if that tree design plan was the actual drawing on how the tree species would be planted. **Colin Gallatin** did confirm that it was the actual tree plan and he referred to the key map. **Margaret Rohde** did ask about the tree spacing and how that was determined. **George Jumonville** indicated that they contracted with Yellowstone and they assisted and developed the planting plan. **Margaret Rohde** asked about the freeze and if there were any issues with that. **Colin Gallatin** indicated that the freeze did take out a good portion. However, their trees are still reserved and are still growing. **Margaret Rohde** asked about waiting until the very end to plant the new trees and will all the new trees need irrigation. **Craig Koehl** indicated that all new trees will have new irrigation and a drip line. Irrigation is the last that goes in a development project. The new trees must have water. The trees are still growing and the new trees are not ready for planting today.

Margaret Rohde mentioned that there was a contractor letter in the packet. She requested that more detail be added to the letter to know more in regard to Covid, information on accessing the site, and background checks for all the contractors. **Tellef Tellepsen** stated that they do not do background checks, unless it is required of them to do so. He indicated that there will be a fence and a locked gate. He also informed the Commission that there will be access into the school and parents will not be able to get into their construction site. **Margaret Rohde** asked if the school was fine with the arrangement. **George Jumonville** confirmed that it was fine.

Louise Richmond asked about the flood lights and how they would be used. **Colin Gallatin** indicated that they were not adding any new pole lights just electrical wall lights that would not light or illuminate into the neighbor's yard. He indicated that they worked with their electrician to make sure that no lighting would shine directly into the backyards. **Margaret Rohde** wanted to make sure that St. Francis did address the lighting issue with the resident that had the lighting concern.

Margaret Rohde asked about the parking, the traffic congestion, and the vehicle queues. She added that the more cars that they can get into the property, the less traffic there will be. She mentioned that the exhibits do not reflect how many cars they are losing on that side during construction. Any

place in the Village where there is a school, there is traffic backed up during 7:45 a.m. and 8:00 a.m. She mentioned that with construction, they are going to lose space in that area, therefore causing vehicles to stack up. **Steve Lovejoy** mentioned that he didn't have all the numbers in front of him, but he mentioned that in the morning you can get about 80 cars in and in the area of the roundabout you can get about 120 to 130 cars in. He mentioned that in the afternoons everyone comes and they are more congested, where as in the mornings it's a little bit more staggered as they come onto campus between starting time at 7:00 a.m. to 8:05 a.m. **Margaret Rohde** asked if St. Francis had ever considered doing a traffic study in order to determine where the issues are and to better understand the traffic issues. She asked if St. Francis was just relying on the officers to handle the traffic. Once construction starts, the traffic would get bottle necked at the construction area. Margaret indicated that maybe it will be determined that a second drop-off point might be necessary, but she reconfirmed those cars need to get off of the road. **Steve Lovejoy** indicated that the traffic flow changes each year, but he agreed that they would do a traffic study.

Bill Burney asked about the lighting at night from the classrooms and how late do they see the use of those classrooms. **Stuart Bates** indicated that it shouldn't be too late and really not much use after dark. Most of the rooms are used during the day and finishing up by 7:00 p.m. **Bill Burney** added that he has been a long time resident and would love to have St. Francis as a neighbor compared to all the new development. **Henry Kollenberg** indicated that this was a commercial establishment that may have 30 people looking over into someone's backyard. **Bill Burney** agreed and indicated that maybe there needs to be a lights-out added to the project. **David Olson** indicated that he has noted that. **Bill Burney** stated that maybe 10:00 o'clock would be reasonable.

Vincent Marino indicated that they have gathered a lot of information, but there is still a lot of missing information that needs to be addressed. He also stated that the draft ordinance needs to be revised. **Vincent Marino** recommended another meeting to make sure that everything has been addressed and is in order and to discuss the revised ordinance.

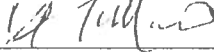
The Planning and Zoning Commission all agreed.

Vincent Marino made a motion to adjourn this meeting and get all the items addressed. He also asked for David Olson to revise the draft ordinance to take into account all the issues that were discussed and to put in the draft ordinance all of the items he thinks the Commission needs.

The Planning and Zoning Commission seconded the motion.

- 6.) **Adjournment:** Motion to adjourn at 10:03 P.M. Motion made first by Vincent Marino and seconded by all of the Commission. Motion to adjourn approved.

Date Approved on December 16, 2021
Chairman Vincent Marino

X  _____

(Required Signature)

Official File Copy