

City of Piney Point Village
Special City Council Meeting Minutes
Memorial Drive Baptist Church 325 N. Piney Point Road
Monday, June 30th, 2014

Members Present: Mayor Lee Butler, Mayor Pro Tem John Ebeling, Dale Dodds and Joel Bender.

Members Absent: Henry Kollenberg and Ron Goodwine.

City Staff: Ben Griffin, City Administrator; Annette Arriaga, Director of Planning, Development, & Permits; Lesa Smith, Municipal Court Clerk; David Olson with Olson & Olson; John Peterson with HDR Engineering Co.

Kinkaid Guests: Gene Werlin, Tad Mayfield, John Putman, Andy Martire, Mike Morgan, Doug Yeager, Brad Deutser, Ed Jordan, and Staman Ogilvie.

Guests: Scott Anderson, Sheila Mayfield, Henry Lartigue, Todd and Amy Greenwood, Allen Crosswell, Karey Bresenhan, Randhir Sahni, Vincent and Susan Marino, Jean White, James, Craig and Kathryn Smyser, Dorothy Sumner, Don Jones, Jim Johnson, Deanna Harrington, Rick and Chrissy Beeler, Bill and Carolyn Forney, Bob Jenkins, Gary Fischman, Mark Kosicki, Micky and Margaret Manos, Jean Phillips, Frances Hawes, Julie Goodall, Rick Beeler, Ella Mae McClendon, Rosalba Sanborn, Ashley Clark, Roni Atnipp, Bonie Likeover, Bob and Mary Burtner, Kathleen Pratt, Leslie Doggett and Blair Bevis.

Call to order: 6:16 P.M. Mayor Lee Butler formally opened the public hearing.

1.) **Open Public Hearing on the Kinkaid Expansion, requesting a specific use permit to allow the Kinkaid School to utilize the Milby Tract for School and educational purposes:**

Gene Werlin, Chairman of the Building Committee, thanked the mayor and city council and everyone in the audience for attending. Andy Martire, headmaster of the Kinkaid School, gave a presentation to the audience. Andy Martire wanted to discuss and share the vision of the Kinkaid School as it relates to the 25 acres of the Milby property that was purchased in 2010. He wanted to describe five main categories of discussion between Stillforest and Kinkaid:

- 1.) How the land will be used
- 2.) Sound considerations
- 3.) Drainage
- 4.) Maintaining a landscape buffer
- 5.) Relieving traffic congestion on San Felipe

It was a very detailed agreement between Stillforest and Kinkaid. Further discussion on setbacks, lighting, building heights and additional screening and additional improvements would be required before the Planning and Zoning could decide on a special use permit.

The Kinkaid School is asking City Council to consider two issues under the *Specific Use Permit*:

- 1.) To allow the school to use the new property for school purposes
- 2.) To allow the school to build a new parking garage on the Milby tract

The new garage would allow the Kinkaid School to have additional parking. Currently, Kinkaid has 550 spaces. The new garage would bring the parking capacity to about 1000.

Andy Martire continued the discussion, saying the school has benefited from being in the City of Piney Point and it is a wonderful place to live and go to school. The Kinkaid school has been a good neighbor; they continue to make financial and social contributions; and they will continue to be a positive and strong neighbor so they can build on that in the future and in the decades ahead.

Over the past several years, the school has been asked several questions and through several discussions these same questions have come up. We refer to this, as frequently asked questions:

- 1.) **Question.** Isn't Piney Point only residential? **Answer.** It is not only residential. There are several religious and educational institutions. The Memorial Drive Baptist Church, St. Francis Church and Chapelwood Church.
- 2.) **Question.** What value does Kinkaid School really provide? **Answer.** The school has hosted events for the City; students did a volunteer landscaping project in the Piney Point community and helped on occasion with heavy trash. Since the late 1950's the Kinkaid School has financially contributed to Piney Point, increasing those contributions over time to a value total of \$450,000. By the end of the year it will be up to \$500,000. in voluntary contributions to the city.
- 3.) **Question.** What about property values? **Answer.** The Kinkaid School has talked to several leading realtors over the past several weeks, including Martha Turner Properties, Greenwood King Properties, and John Dougherty Realtors. All of the companies have indicated their expertise and opinions on the importance of institutions like Kinkaid in the community and the positive impact it has on the city.
- 4.) **Question.** Taxes? Wouldn't Piney Point be better off if the property was used for single family development, considering the increase tax values it would add?

Answer.

- 1.) Had the Milby family retained the property, it would not have increased in value on the tax rolls beyond the regular inflationary rate. There is no assurance that there would have ever been any residential development on the Milby tract.
- 2.) The Kinkaid School continues to make voluntary contributions to the City and they would pay what the Milby family has traditionally paid. The school would continue to make payments.
- 3.) If the Milby tract could be developed, and assuming that you could build 15 homes, the total tax revenue would only reduce individual resident's taxes by about 5 to 8 dollars per month.
- 5.) **Question.** The development of the campus as it relates to traffic on San Felipe and would it create more traffic and congestion? **Answer.** The development of the new parking garage would definitely reduce and improve the traffic flow on San Felipe. Having the students, visitors and parents know where to go instead of circling the campus would definitely reduce the traffic on San Felipe.

Andy Martire thanked all of the residents, Piney Point City Council and the Planning and Zoning Commission for coming out and said he would answer any questions that any one might have.

Mayor Lee Butler opened the floor for resident's comments.

Resident (Name Not Given) wanted to understand and reconfirm his understanding that the Kinkaid School, the Stillforest Home Owner Association, and the Planning and Zoning Commission have already reached some type of accommodation?

Mayor Lee Butler spoke and indicated that the Stillforest neighbors that are directly west of the property had been concerned for years about the impact of development on the Milby tract. The City Council encouraged the Kinkaid School and the Stillforest residents to reach an agreement on the use of the property. The agreement would have to be acceptable to Stillforest but not binding to City Council. The agreement would help the City Council in its decision process. So, after some extended discussions an agreement was finally reached between the Kinkaid authorities and the Stillforest Association. Two detailed documents are filed of record with Harris County and are also currently located on the Piney Point website. Mayor Lee Butler also added that the Planning and Zoning Commission approved two specific use permit requests for the Kinkaid School to allow: 1.) The use of the property for school and educational purposes. 2.) To build a new parking garage. Based on the deliberations, The Planning and Zoning Commission approved the specific use permit requests and made a formal recommendation to City Council that those plans be allowed to go forward. However, the Mayor indicated that the vote could not take place tonight but, encouraged citizens to speak.

Mary Kay Burtner, who lives at 202 Merrie Way Lane, likes the fact that Piney Point is residential. Yes, she acknowledges that we have schools and churches and we like them to stay where they are and the rest of the properties remain residential. If there was a property next to her that changed from residential to a school, she would be upset. In the past, during the games held at the Kinkaid School, her kids couldn't sleep in the upstairs bedrooms because of the loud noise coming from the school and she lives on Merrie Way Lane. She also raised the question about the financial loss of the Milby property. Right now the Milby property is paying about \$6,000 of revenue to the City of Piney Point. However, if you go to a Stillforest property, a home built in 2012, and if you sell that property, it would go for \$4 million and paying a little over \$10,000 to the City of Piney Point and this is just one home, can you imagine 10 to 15 homes. That is a little over \$100,000 a year in taxes to the City of Piney Point. She continued to say she doesn't see how this benefits the residents of Piney Point and by changing the use from residential to non-residential.

Staman Ogilrie stated that he would not dispute any numbers that she was stating, except that he would simply say no matter how you calculated them, the number is very small, considering the property value increase by the Kinkaid School prestige brings by being there. In addition, Stillforest has also required that we have no night time activities on the new field and no implication of sound coming from the new field. It will have no negative impact on the nearby properties.

Rosalba Sanborn lives right in front of Kinkaid at 8510 San Felipe and has lived in Piney Point for 50 years. Her kids went to the Kinkaid School. She is not concerned about the noise. However, if you lived next to Memorial High School it would be a lot worse. She thinks Kinkaid is a great school, however, she is concerned with the traffic on San Felipe.

Mayor Lee Butler wanted everyone to understand the process and indicated that the agreement is between the Kinkaid School and Stillforest. It is an agreement that they would have like to have enforced. Even if Stillforest has agreed to the stipulation it is still up to this city council to approve the request. If this city council doesn't agree to it, then they can't do anything just because Stillforest says they can. The Kinkaid School has to come before this city council for every single request for construction and every single project. So, there will be another opportunity for residents to be heard in regards to the property.

Joe Bender wanted everyone to understand that even though the Kinkaid School has come to council for a specific use permit to re-plat; the property will never change from residential. If for any reason the Kinkaid School decides to move the property will still remain residential. Any time the Kinkaid School does anything on the property, they have to come back before

the Planning and Zoning Commission and request that specific use permit just like Chapelwood Church, St. Francis and any other facility in Piney Point. They would have to get approval before any of those additions, improvements and enhancements can be made.

Kathryn Smyser lives at 11110 Wickwood Drive just across the street from the Kinkaid School. She has lived in Piney Point for a little over a decade. She moved from her home that she loved so that her kids could go to Kinkaid. She is a proud parent of three Kinkaid graduates. She came to speak in strong support for the Kinkaid school. She wanted to thank both the Planning and Zoning Commission and the City Council and she is very appreciative of all the work and compromise. She stated that we live in a very dynamic city and in 20 to 30 years the middle of Houston could very easily be the Woodlands. The Kinkaid School would be a great thing for our community. The school needs the acreage it needs to continue to grow. She stated that she hopes that Kinkaid and Piney Point can live happily ever after.

6:53 p.m., Mayor Lee Butler formally closed the public hearing.

- 2.) Discuss and take possible action on Ordinance 204.06.30A regarding a request from the Kinkaid School to allow for a Specific Use Permit for the Kinkaid School to utilize the Milby Tract for school and educational purposes. *Quorum not present, no action taken.*

6:54 p.m., Mayor Lee Butler formally opened the public hearing.

- 3.) Open public hearing regarding the Kinkaid School requesting a Specific Use Permit to build a new multi-level parking garage on the Kinkaid property.

Staman Ogilrie stated that the importance of the new garage would reduce the congestion on San Felipe.

Dale Dodds indicated that he heard someone referring to \$100,000. He agreed with Andy Martire, on many things however, he wasn't really sure that it really increased the value of the property any but it sure doesn't hurt us any. The Kinkaid School has done a wonderful job and they will continue to contribute to Piney Point. So, when it comes to what we are actually losing financially as far as the tax base is concerned, it will not be significant as if we had nothing but just vacant land. He did indicate that he is concerned about the taxes and believes that you could put 10 to 15 new \$3 to \$4 million dollar homes on the land, but Kinkaid has agreed to continue and step up the contributions to the city. He feels strongly that this is the only logical place for Kinkaid to go. As far as drainage, Kinkaid will be the solution on drainage for the folks on Stillforest and they have come to an agreement on that issue. There is a possibility that in the future Kinkaid will help the city as it relates to drainage on Buffalo Bayou. Nothing is set in stone, but Kinkaid has helped the city over the past several years and he is certain that Kinkaid will continue to do so. Dale Dodds also mentioned that Stillforest also received 20 percent of the 25 acre tract of green space that starts from the front of the property to the back of the Milby tract. It will be heavily landscaped throughout and it will be beautiful. Kinkaid has worked with the Stillforest group for over two years on this agreement and they are in favor of the development.

Joel Bender added that both Dale and he have both walked the property with Kinkaid and there are a lot of important issues, but he does understand the tax issues. One of the most important issues is that a majority of the tract is in the Buffalo Bayou area. In the next 20 years or so, the issue of drainage in terms of detention or retention will need to be discussed. This is something Kinkaid can help in the future. We have an aging infrastructure in terms of water and something will have to be done in the next 20 years or so and that is an important aspect of this. There is no place for the water to go and Kinkaid knows that we may come to them in the future.

Dale Dodds indicated that he had walked the property all the way back to the bayou area. They looked at the ravine and the drainage with John Peterson the city engineer, and the Walter P. Morgan firm. Dale indicated that the new parking garage is coming over 35 feet

onto the Milby property and 95 percent of the existing ground that the new garage is going to be on, there is already an existing tennis court. Dale added that he was assured by Walter P. Morgan that it will be done with Harris County's approval and he believes that the new garage and the forested buffer zone will help cut out the noise, especially as it goes to Stillforest.

7:00 p.m., Mayor Lee Butler formally closed the public hearing.

Mayor Lee Butler performed the swearing-in ceremony for Councilman Joel Bender for another two year term.

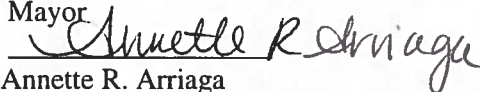
- 4.) **Discuss and take possible action on Ordinance 2014.06.30B a Specific Use Permit request from the Kinkaid School to allow for the construction of a multi-level parking garage on the Kinkaid property.** *Quorum not present, no action taken.*
- 5.) **Discuss and take possible action on the Village Fire Department 2014 amended budget as approved by the Board of Commissioners on May 21, 2014.** Chief David Foster not present. *Quorum not present, no action taken.*
- 6.) **Discuss and take possible action on going out for bids for the Memorial Drive Elementary project.** John Peterson presented the item and indicated that the project cost will be about \$290,000 instead of \$315,000. The Spring Branch portion would be about \$191,000. Item would be discussed at the July city council meeting. *Quorum not present, no action taken.*
- 7.) **Discuss and take possible action on the City Administrator's monthly report, including but not limited to: May 2014 financials.** Ben Griffin presented the May 2014 financials. *Quorum not present, no action taken.*
- 8.) **Adjourn.** With no further business to discuss the meeting was adjourned at 7:15 p.m. with a motion by Councilman Bender and a second by Councilman Dodds.

PASSED AND APPROVED this 28th day of July 2014.



F. Lee Butler

Mayor



Annette R. Arriaga

Director of Planning, Development, & Permits