

City of Piney Point Village
Planning & Zoning Commission Meeting
Minutes from
March 23rd, 2022

Members Present: Chair Margaret Rohde, Bill Burney, Dana Gompers, and Don Jones.

Members Absent: Charles Peterman.

Sworn In Member: William (Bill) Ogden.

City Staff: Bobby Pennington City Administrator, Annette Arriaga, Director of Planning, Development, & Permits, David Olson with Olson and Olson and Joe Moore P.E with HDR Engineering.

City Council Members: Joel Bender, Henry Kollenberg, and Dale Dodds.

Signed in Guests: Pastor Stuart Bates, Louise Richmond, George Jumonville, Colin Gallatin, Neil Wizel, Brandt Bowden, Andrew H. Dillon, Rucker Simon, John Putnam, Sheila Rowley, Pete Ed Garrett, Michael Gabrielse, Ryan Harrison, Nancy Grob, Richard and Shannon Nystrom, Ali Bamberger, Lynn Williams, Eric Boquist, Rachel Dash.

- 1.) **Call to Order:** 7:07 P.M.
- 2.) **Oath of Office:** Bill Ogden sworn into the Planning and Zoning Commission.
- 3.) **Meeting Minutes:** Motion for approval of minutes from the February 27, 2022, regular Planning and Zoning Commission meeting; Dana Gompers motioned first to approve and it was seconded by Don Jones. Upon such vote, minutes were approved. Bill Ogden sustained.
- 4.) **Specific Use Permit Request/St. Francis New Parish Hall and Improvements/Draft SUP Ordinance:** Margaret Rohde wanted everyone to refer to the latest version of the SUP draft for St. Francis Parish Hall. Margaret Rohde stated to the audience that the Planning and Zoning Commission at the last meeting did a recommendation of approval of the proposed draft ordinance with some conditions and some changes. So, it had been recommended that the draft ordinance go back through to the Commission to go over and discuss the changes to the ordinance. She felt that the draft ordinance had some good language to discuss. She wanted to start by discussing of the red lined draft ordinance.

Paragraph 1. Demolition. One of the items mentioned that they wanted to make sure that the residents were protected during demolition, since the demolition was so close to the fence line. They wanted to make sure that the demolition debris was properly watered down to help with the dust. Annette Arriaga also indicated that they can contact the city with any issues that they might have. The city does inspect the demolition and if there are any issues that come up during that process, the contractor and St. Francis are ultimately responsible if there is any damage.

Nancy Grob asked if neighbor letters will be sent out prior to demolition. Louise Richmond stated that they will send out notification to all the residents. **David Olson** indicated that they will work with St. Francis on proper notification.

Paragraph 2. General Construction of the New Parish Hall.

Margaret Rohde indicated that most of the language is what everyone is already familiar with; the building at a max height of 34 ½ feet tall and approximately 15,000 total square feet on the

first floor. Listed and identified were the rooms on that particular floor. There will be 600 square feet of renovated existing space that ties into the new construction that would be on the first floor. This was a correction from a previous statement that the 600 square feet were on the second floor. The second floor is approximately 9,000 total square feet and it lists the rooms that are there. It lists that the rooms will be ADA compliant, meet the building codes, be fire sprinklered, constructed with new Type II fire resistant material and will be energy efficient for electrical, plumbing and air conditioning and heating. She indicated that this section was just moved from a different section. She added that the distance between the new Parish Hall facility and the Cheska property lines is at 84.1 feet. She stated that this was in the original ordinance, but that it was moved around a little bit in this section. She mentioned that the only thing that was clarified, and she read the draft, was that in order to meet new security and safety requirements, the new Parish Hall will have to have defined separation between the school and church facilities, visitors to the church will not use the school entrances, and the new church meeting rooms in the Parish Hall will not be used by the school. She indicated that this came from the City Administrator asking about what defines the term separation. Margaret Rohde indicated that she went back through the project and scope of work and got the information from there. Margaret Rohde stated that, per St. Francis, they needed to separate those two routes for safety purposes, so that the church visitors do not come into direct contact with the school. She also wanted to confirm that the meeting rooms would not be used by the school. St. Francis confirmed.

Paragraph 3. HVAC Equipment.

Margaret Rohde stated that they just broke out the HVAC equipment and noise DBA levels that had been discussed. David Olson also mentioned that there had been discussion about replacing the chillers in the future, but it was not confirmed. **Pastor Stuart Bates** stated that he had already consulted with HVAC contractors and they have a few bids on that, but due to delivery schedule, it may take several months for that chiller to be replaced once they officially order it. It was confirmed that the request for the replacement chiller was not part of the SUP ordinance. David Olson just wanted clarification. So, Margaret Rohde removed it from the SUP draft.

Margaret Rohde indicated that there was a lot of discussion about the noise levels. David Olson indicated that 45 was added in the ordinance, but wanted to confirm with the applicant. Margaret Rohde indicated that the 40 DBA level was a very low level. She wanted to confirm what the City of Houston's level was, and Colin Gallatin stated that the DBA for Houston is 65 DBA during the day and 55 DBA at night.

Dana Gompers asked if there had been any issues. **David Olson** indicated there had been issues, as it related to generators.

Margaret Rohde stated that there had been several concerns with residents in relation to the mechanical noise coming from St. Francis.

Don Jones stated that these noise levels are lower than the City of Houston's.

Henry Kollenberg indicated that the City of Houston is not residential, but industrial.

Margaret Rohde asked if anyone had any suggestions and suggested staff to look at it and work together with engineering and St. Francis to find a reasonable noise level.

David Olson suggested that the applicant have some feedback on it, as it relates to the noise levels.

Colin Gallatin requested that St. Francis follow the City of Houston's DBA levels.

Henry Kollenberg mentioned that San Diego has a residential noise level limit of 54 DBA and he mentioned that in the limit of 40 DBA would be from 9:00 p.m. to 6:00 a.m. He also mentioned that the 2000 SUP Ordinance, St. Francis stated that the chillers wouldn't be any noisier than they were, but there had been several complaints in regard to the chillers and noise. So, **Henry Kollenberg** thought that there should be a limit on the noise and it should be specified in the SUP.

Colin Gallatin recommended a 44 DBA.

Margaret Rohde mentioned that it probably wouldn't have been an issue if there hadn't been an issue to begin with, which went on for years.

David Olson stated that St. Francis is proposing 50 DBA during the day and 44 DBA at night.

Margaret Rohde wanted to inform St. Francis of the violations, as it related to the noncompliance of the AC units. She just wanted to make them aware and make sure that they had read all the wording associated with that.

Paragraph 4. Lighting.

Margaret Rohde asked everyone to look at the lighting section and mentioned they had already discussed this and there were no changes. **Nancy Grob** had questions pertaining to the windows. She asked for the size of the windows. **Colin Gallatin** stated that the windows are 17.4 feet in length, 8 feet tall, and 1 foot off the ground. **Nancy Grob** also wanted to know how much of the window would be covered. **Colin Gallatin** stated that 14 inches would not be covered.

Margaret Rohde stated that the window film had to be at least 6 feet high. St. Francis had requested that at least the top portion of the windows to not have the film, so they could have some natural sun light. **Nancy Grob** mentioned the lighting and stated that the lights are sometimes on late at night, and she wanted to know about the window shades and what kind they would be using. **Colin Gallatin** stated that the windows are electronically operated and it's a fabric roller that will be set on an automatic timer. **Nancy Grob** wanted the shades and the lights to be closed at 9:00 p.m. instead of the listed 10:00 p.m. in the draft SUP ordinance. **Margaret Rohde** read over the SUP ordinance; All lighting associated with the outdoor gym, playground and other outdoor activity space must be equipped with an automatic timer to shut such lighting off no later than 9:00 p.m. daily. **Margaret Rohde** wanted to confirm to the residents that there are three things associated with this section; 1.) They are adding a film to the windows that would be 6 feet high, so that no one is able to see directly into people's backyards. 2.) They would have an automatic timer on the roller shades, and they must go down at 8:00 p.m. 3.) However, lights are to be out by 10:00 p.m.

Margaret Rohde stated there had been several comments about the outdoor lights needing to comply with the outdoor lighting ordinances and that the lights need to be shielded and facing downward. Also, if there are any issues, the residents can contact the city and this ordinance would be enforceable. This does include the gymnasium or the playground.

Paragraph 5. Drainage.

Margaret Rohde stated that in the previous draft there was just a typo, which had been corrected. David Olson confirmed.

Paragraph 6. Trees.

Margaret Rohde stated that they did add a clarification that St. Francis is now coming under the Tree Ordinance, Chapter 66, Vegetation, of the City's Code of Ordinances. It will require that the RMD trees that must be planted, will have to be maintained and if a tree dies, then they would have to replace it.

Paragraph 7. Impervious.

Margaret Rohde stated there were no changes.

Paragraph 8. Playground Equipment.

Margaret Rohde stated that the playground equipment would be moved out of the 30-foot setback. **Nancy Grob** wanted to know why they violated the 2000 SUP and Margaret Rohde added that there was no clear reason from St. Francis on why they did not comply with the 2000 SUP. She added that now that St. Francis is aware of the ordinance, they will comply and it should not happen again.

Paragraph 9. Overall Lot Coverage.

Margaret Rohde stated there were no changes, other than they shall not exceed 50 percent lot coverage.

Paragraph 10. Monument Sign.

Margaret Rohde stated there were no changes.

Paragraph 11. Traffic Plan.

Margaret Rohde wanted to confirm that they planned to start at the end of this school year. She stated that Ecclesia would be providing additional parking. She mentioned that she had crossed out the part for the middle schoolers, but suggested they keep it open for whomever needs the additional parking and drop offs. Margaret confirmed that deliveries would not interfere with the school drop off and pick up schedules. St. Francis agreed.

Paragraph 12. Traffic Issues.

Margaret Rohde stated that paragraph 11 and 12 should be together. However, she stated that if traffic was a persistent problem, they would have an alternate traffic plan that they could use if there was a problem, and that the city would like to see that alternate plan utilized.

Paragraph 13. New Fence.

Margaret Rohde stated that they agreed to install a new 8-foot fence along the North property line in accordance with the city approved fence plan and she wanted to know what they had in mind, as it related to the new fence and if any issues had come up. **George Jumonville** stated that St Francis would install a new fence on their property line 6 inches within the property line and they would maintain it. He mentioned that there would be some gaps possibly 2 to 4 feet because of that. However, the finished side would face St. Francis. Residents had comments about the metal posts that St. Francis selected. St. Francis agreed to use cedar posts after the resident comments. **Margaret Rohde** wanted to confirm that there was no issue with the survey or the property line, and the only issue is the fence. Henry Kollenberg stated that the fence plan shows the fence being in the middle of the ditch. **Joe Moore** confirmed that they had not approved the revised drainage plan yet for the project and that they are proposing to shift their design plan South more onto St. Francis property and not on the Cheska properties. He mentioned that they still had a few additional comments, as it related to the revision. Joe Moore did state that the new ditch would be concrete lines, which would help in maintenance and would appear to remain cleaner.

Dana Gompers wanted to confirm that if residents take their fence down, then residents of Cheska would have extra property. **Colin Gallatin** agreed. **Dana Gompers** wanted to confirm that if they take the fence down and then drainage, of course it would all be taken care of. **Joe Moore** agreed. Residents of Cheska agreed that the ditch was a positive thing. Residents indicated the existing fence caused a lot of drainage issues and with the playground it added more of an issue and had also blocked the drainage. **Margaret Rohde** mentioned that it would be a good idea for Joe Moore to meet with the residents of Cheska to go over any issues they might have, in relation to the fence and ditch issues since resident are more aware of how the water flows, as it relates to their property. **David Olson** agreed that it is still contingent on the city approved drainage plan.

Paragraph 14. Re-establish 30-foot Setback and Greenbelt Area.

Margaret Rohde stated there were no changes.

Paragraph 15. Enrollment.

Margaret Rohde stated the St Francis enrollment shall not exceed the 800 Students.

Paragraph 16. City Annual Inspection.

Margaret Rohde stated that the city will do an annual inspection. **Pastor Stuart Bates** agreed that the project, being so large, they thought that was a great idea. However, they requested that the city call ahead and arrange for a scheduled meeting when wanting to do an annual inspection.

Paragraph 17. Property Use.

Margaret Rohde stated there were no changes.

Recommendation:

Margaret Rohde made a motion to recommend to City Council the proposed SUP Draft Ordinance of the St. Francis New Parish Hall and renovation. Motion made first by Dana Gompers and seconded by Don Jones. William Ogden abstained.

5.) Specific Use Permit Request/The Kinkaid School/New Lower/Administration Building and New Upper School and Improvements/Draft SUP Ordinance:

Margaret Rohde wanted the commission to look over the revised draft of the Kinkaid SUP Ordinance with all the attached exhibits.

Margaret Rohde indicated that there were two major issues last time they met. One being the temporary buildings, which the city didn't have enough information on. **Annette Arriaga** confirmed that they had since submitted more information on the temporary buildings. She also added that they would have to resubmit all plans again for the entire scope of work where much more detail would be added.

Margaret Rohde also added that there had been another issue with the playground in front of the new Lower Administration Building, but they had completely removed it out of the 50-foot setback. **Dana Gompers** asked if they were fine with the playground being removed and if they thought of another location.

Brandt Bowden indicated that they are ok with it being removed for now, since they recognize that it's in an area of concern, so they are fine with removing it.

Don Jones mentioned that looking at the draft of the Kinkaid ordinance it refers to, "*The Kinkaid School Tract*," he asked if that included the old Milby property or the school track?

Pete Ed Garrett indicated that the new construction would be on the Kinkaid Track and for a short period of time that the temporary trailers would be on the Milby Track. He added that they have asked for two permissions.

- 1.) Permission to allow the use of the Milby Track for the temporary buildings.
- 2.) Permission to allow the temporary building on the Kinkaid Track during the construction of the Upper School Buildings.

David Olson indicated that it is collectively referred to as The Kinkaid Track and the different tracks are identified in the detailed scope of work.

Margaret Rohde stated that the school is requesting permission for the front yard fence, which runs perpendicular to San Felipe and runs in the 50-foot setback. Kinkaid Confirmed. She also

asked about the overhang permission and **Sheila Rowley** confirmed that the overhang will extend from the new Lower Administration Building to the existing school.

Margaret Rohde asked about the sub section, J under No. 7 for preliminary Fire Marshall approval and wondered if they had to go through a secondary process.

Pete Ed Garrett mentioned that they would still need to submit a detailed engineering plan for a construction permit, which would mean they would have to go back for secondary approval for the entire project and that would require for the Fire Marshall to review it again.

Margaret Rohde asked about the Colonnade and thanked Kinkaid for adding all the detailed specifications associated with that.

Margaret Rohde asked about the height of the buildings to make sure that they will not exceed the 35-foot height limitations, but asked about the ladders that extend above that and the chimney vent pipes. **Pete Ed Garrett** indicated that the ladders and the chimneys extend beyond the 35 feet, but that it is allowed for maintenance, safety, and security purposes and is required by the IBC, the International Building Code.

David Olson mentioned that we just don't deal with Commercial construction, so they are just spelling it out.

Margaret Rohde asked about the North detention expansion pond and the excess capacity. She also wanted to know if it was more of a design choice.

Pete Ed Garrett mentioned originally it was designed for excess capacity so that they would have a little bit of a buffer drainage wise, but they ended up expanding the capacity and reconfigured the design for the pond because a portion of the pond now has a retaining wall. This area would allow for a new fire lane appropriately distanced on the West side near the Lower Administration Building.

David Olson mentioned that the entire narrative and detailed scope of work is attached to the Kinkaid SUP Ordinance and referenced the Exhibits detailing the project.

Margaret Rohde asked about the trees. **Don Jones** wanted to know if the trees were in the two designated Stillforest buffer zones and Margaret Rohde confirmed that it was not in those areas and should not be a concern.

Margaret Rohde wanted to confirm if there were any staff concerns. No comments from staff.

Recommendation:

Margaret Rohde made a motion to recommend to City Council the proposed SUP Draft Ordinance of the Kinkaid School new Lower and Administration Building and new Upper School Development project. Motion made first by Dana Gompers and seconded by Don Jones. William Ogden abstained.

- 6.) **Adjournment:** Motion to adjourn at 8:30 p.m. Motion made first by Don Jones and seconded by Dana Gompers

Date Approved on April 28th, 2022
Chair of Meeting Margaret Rohde

X Margaret Rohde

(Required Signature)
Official File Copy