

**City of Piney Point Village  
Planning & Zoning Commission Meeting  
Minutes from January 26th, 2023**

**Members Present:** Bill Burney, Buck Ballas, Don Jones, and Margaret Rohde-Chairman.

**Members Absent:** Bill Ogden and Dana Gompers.

**City Staff:** Annette Arriaga, Director of Planning & Development, Bobby Pennington, City Administrator, Cary Moran, City Forester, and Joe Moore P.E with HDR Engineering.

**City Council:** Aliza Dutt and Henry Kollenberg.

**Signed in Guests:** Janell Guerra and Ivahn Garcia.

- 1.) **Call to order:** 6:05 P.M.
- 2.) **Meeting Minutes:** Motion for approval of minutes from the November 8, 2022, regular Planning and Zoning Commission meeting; **Bill Burney** motioned first to approve, and it was seconded by **Don Jones**, minutes were unanimously approved.
- 3.) **PUBLIC HEARING/PRELIMINARY PLAT APPROVAL/GALICIA ESTATES/240 MERRIE WAY LANE:** **Ivahn Garcia** spoke to the commission and indicated that they are replating due to the property being unrecorded and that they would be building a new single-family home. He also mentioned that due to the deed restrictions on the street they would be going before the Board of Adjustment for relief for the front yard setback. He continued to add that they would be seeking a variance for the front yard setback instead of the required 50 ft and they would be requesting a variance to allow for a 35 ft front yard building setback like the existing residents on the street. **Joe Moore** with HDR Engineering had no objections and recommended approval. No other comments received by the Commission.
- 4.) **DISCUSSION OF PUBLIC HEARING/PRELIMINARY PLAT APPROVAL/GALICIA ESTATES/240 MERRIE WAY LANE:** **Margaret Rohde** asked several questions and wanted to know how they determine the front yard setback on Merrie Way Lane and asked **Joe Moore** if it is measured 50 ft the property line, or is it measured 50 ft from the road, or 50 ft from the edge of the easement of the road on a private street. **Margaret** indicated that it could be three different distances. **Don Jones** indicated that the property was a small lot. **Margaret Rohde** indicated that there are two different regulations, one for the city and one for the private deed restrictions of the street and she indicated that they are not looking at the deed restrictions. **Margaret Rohde** indicated that over a year and a half ago that city council changed the ordinance to allow for certain streets to have different front and side yard setbacks, but that Merrie Way Lane was not on that ordinance change.

**Margaret Rohde** entertained a motion to approve the preliminary plat subject to three conditions.

- 1.) Have the city engineer review the other plated properties on Merrie Way Lane as it relates to how they are measuring and determining the front yard setbacks on the street.
- 2.) The applicant or the homeowner comes back before the commission for the final plat with the approval from the Board of Adjustment for the front yard setback.
- 3.) Have the surveyor mark the utility easements that have been filed and recorded with Harris Country.

**Margaret Rohde** was first to approve the preliminary plat of Galicia Estates and it was seconded by **Don Jones**.

5.) **IMPERVIOUS COVERAGE:** **Joe Moore** spoke to the commission about impervious coverage. He indicated that the city council asked that they look at the city's current impervious coverage ordinance and see if any changes needed to be made specifically as to what is defined as impervious coverage. He indicated that people have an interest in certain impervious coverages like turf, dog runs, putting greens and gravel areas. He indicated that the city's current ordinances count that into coverage and calculates that into the overall 50 percent lot coverage on the lot. The city counts everything other than grass. But by some manufacture definitions they may indicate that is turf or impervious pavers shouldn't be considered impervious because of the material specifications that allow it to be considered pervious. He mentioned driveways that most residents/builders do not want to count that into their overall lot calculations, that they consider permeable pavers to be counted like grass. But most of the time they are almost at a 50 percent maximum calculation. He believes it issues like that; is why they probably would like the Commission to consider a possible change to the impervious coverage. **Joe Moore** indicated that considering certain material to be pervious and from an esthetics issue he felt that would be a decision of the Planning and Zoning Commission as well as the City Council. He indicated that he looks at the impervious coverage differently and from an engineering standpoint. He continued to add that he is just looking at from an engineering side and that includes the drainage calculations. When he looks at plans, he looks at the calculation of the flow and a runoff coefficient and he mentioned that they look at the City of Houston coefficient standards. But every city has its own standard. He mentioned that they use a .4 or .5 range when looking at the calculations in the city, for the drainage systems for the type of lots in Piney Point. He added that people are pushing 50 percent of their impervious coverage. He added that different material types are trying to imitate grass however with several different types you can have different issues;

- 1.) It is very permeable (it drains and disappears)
- 2.) Gravel system with a mat turf or a gravel base (at some point-reason to believe that it will clog over time become like concrete)

He indicated that he had no way of calculating that and the best way would be to just limit the risk. He indicated that maybe you *could define how much could be installed* to limit the risk or by *using a percentage on top of the 50 percent and define what that is* and the city would have to require manufacture specification and would require it to be permitted and inspected by the city as designed to make sure that its being installed correctly. He felt the city should be involved. **Joe Moore recommended not more than 5 percent**. So, that would be an additional 5 percent pervious on top of the 50 percent impermeable. He mentioned that would be like a dog run, artificial turf, a putting green or an additional area around the pool that the resident might want to add. He continued to add that they came up with the 5 percent is because the average square footage of the lots in Piney Point Village are about a village acre so on a 40,000 sq ft lot and additional 5 percent would be about 2,000 sq ft. and that would be under the spirit of limiting the coverages and limiting the risk. He added that City of Bunker Hill limits it to 5 percent and that it must perform like native soil so that does leave it to interpretation.

So, **Bill Burney** added that over time that eventually it would have to be cleaned out. **Joe Moore** agreed. He added that manufactures really do not indicate how to clean out the systems long term however, the only way to do it is to remove it completely. **Margaret Rohde** asked about how long it would take for the permeability to last. **Joe Moore** indicated that he hadn't heard of any clear answer on that, and he mentioned that manufactures probably wouldn't want to put a timeline on it because either way he added that it would be hard for them to calculate that. **Margaret Rohde** also wanted to just re-confirm that the water should just drain directly into natural soil instead of having, in case there was a thunderstorm, having that water run directly into the cities storm drainage system and back everything up. **Joe Moore** agreed and confirmed that you wouldn't want to much water to hit all at one time. **Bill Burney** agreed that if everything sheet drains into the street, then there would be a problem. **Joe Moore** agreed. **Don Jones** indicated that the city gets a lot of quick run off currently. **Buck Ballas** agreed and indicated that the water ponds and then it eventually drains. **Don Jones** mentioned that the water ponds in the woods, in the yards it doesn't

matter where it is, and he stated that the water will find a path of least resistance. **Bill Burney** asked the Commission if everyone wanted to allow for the additional 5 percent. **Buck Ballas** asked if the city considers gravel and permeable pavers as permeable. **Joe Moore** stated that the city counts that into the overall lot coverage and is considered impervious. **Margaret Rohde** asked if she was already at 50 percent lot coverage and wanted to add a dog run if the city would look at everything on the property to determine that factor. **Joe Moore** agreed. **Bill Burney** asked if residents apply for the putting green permits. **Annette Arriaga** responded with a yes, that the city does issue permits for the turf and the turf is counted as impervious coverage. She added that most putting greens are permitted with the new development projects and she added that the putting greens are treated like concrete in a way. The turf, if in a back yard must be 10 ft from a side and 10 ft from a rear yard, if in the rear 1/3 of the property. She mentioned that there had been some cases of someone putting artificial turf in an entire front yard and the city had to make them remove it, and in another case, residents turfed the entire back yard. She mentioned that the city must continue to regulate that and treat it with conditions etc.; Some homeowner associations do not like turf in front yards. **Margaret Rohde** asked about having a rain collector if they wanted to do something like that or a having catch basin to collect and catch the water, she indicated that she was just brainstorming to come up with ideas that if they wanted a putting green that they would have to add a catch basin. **Bill Burney** asked who recommended the change. **Annette Arriaga** indicated that it was coming from the city council, but it was to see if the Planning and Zoning Commission would consider turf a little more differently than as concrete or consider some relief there. **Margaret Rohde** asked about Hunters Creeks criteria. **Joe Moore** wasn't aware of their criteria. He mentioned that the City of Bunker Hill criteria is that you cannot exceed 55 percent of the maximum lot coverage and that included the impervious and pervious. But they have design notes that indicate that it must perform like native soil. He indicated that Hilshire Village has much smaller lots and they handle it on a case-by-case basis. He also stated that they are strict on, no gravel driveways and permeable pavers but smaller things like ac pads, or concrete steppingstones they do not count little things like that into overall lot coverage. **Cary Moran** indicated that West University Place has been doing turf for a while and she consulted with their Forester, Craig Kohl and she mentioned that when she does inspections for him, she notices water in the back yards and added that they hardly have any drainage or no drainage in some of the yards. But she mentioned that the lots are a lot smaller, and they do not allow turf in any front yards. She added they do have installation specifications. **Cary Moran** mentioned she just prefers dog runs. **Henry Kollenberg** stated that when **Joe Moore** was talking about new houses and dog runs that the 50 percent was an idea, and what that does when you think about it, is that the turf, you never know it to squish when you walk on it and when he walks in the yard it squishes so you know water is staying in the ground instead of going into the cities system or going onto adjacent properties. He mentioned that the city has significantly improved drainage over the last 20 years and by doing that the have increased the facilities that take in water, but the water has to go somewhere, and all that water goes to Buffalo Bayou and mentioned at some point we will max out that capacity. He added that the homes are being torn down and bigger houses are being built and covering more of the property. He indicated that the problem is that there are not many more outlets for the foreseeable future. But any other possibilities, Harris County would have to approve it and there is a limit. So, by going from 50 to 55 percent it seems that after a storm event that we would be taken a chance and after that you can't go back, and he considered that a real problem and we would be taken a hit to our storm drainage capacity. **Margaret Rohde** stated that every yard would have an extra 5 percent of run off in every yard and the residents would have to be accountable for that. **Don Jones** stated that they must be accountable and make it permeable like grass and they must prove that. **Bill Burney** added that there was no way to prove that. **Joe Moore** confirmed that there was no way to approve that. **Bill Burney** stated that he wanted to keep the 50 percent rule. **Margaret Rohde** mentioned having more drainage installed. **Buck Ballas** indicated that maybe they wouldn't want to install the putting green if they knew how much additional cost it would require with adding more drainage. But he agreed that if they allow the additional 5 percent that there would have to be some stipulations. **Joe Moore** indicated that overtime the area will clog up and it will not function as required. **Margaret Rohde** indicated that there may be cheaper ways to have detention and mentioned the possibilities of adding a catch basin. **Buck Ballas** indicated that River Oaks, City of Houston all require the detention. **Cary Moran** stated

that if you have underground detention or yard detention you can plant trees in that area and there may have to be tree removal to account for the detention. **Margaret Rohde** stated that she was fine with the additional 5 percent if they could hold their own water. **Bill Burney** asked Joe Moore if he could come up with that calculation. **Joe Moore** said he could but there was no way that he could ensure that the system will always be maintained after several years. **Don Jones** mentioned that on a vacant lot, someone builds a big house on it and then you are seeing more and more impervious coverage and then on top of that the city wants to add an additional 5 percent. He added that over time it will just be more and more houses and questioned why the city would want to do that. He felt that there was already too much runoff going into Buffalo Bayou and the channel is twice its size from 2015. He felt that it would be adding to the problem and create more and more issues. **Joe Moore** agreed that limiting the runoff would be better.

**Bobby Pennington** stated the City Council just wanted the Planning and Zoning Commission to revisit the issue regarding turf, since it's very popular and to see if it could be considered pervious, or if they wanted to make any additional changes.

The Commission agreed that they would not make any changes to the current 50 percent regulation.

- 6.) **SIGNS:** **Annette Arriaga** mentioned to the Commission if they wanted to make any changes to the current sign ordinance. She indicated that the language as written in the draft presented was done by Brian Thompson. She mentioned that new construction projects already have some language on the sites like emergency contact and phone number, but the city doesn't allow the builders logo or advertisement on the property. **Margaret Rohde** referred to the red lines draft and the proposed sign changes that would allow for the signage to be not only on the properties but on vacant lots. The sign size would be bigger and have a logo and phone number. **Margaret Rohde** indicated that the information on the construction sites could be handled administratively but agreed they weren't in favor of the logos.

The Commission agreed not to make any changes to the current cities sign ordinance.

- 7.) **ADJOURNMENT:** Motion to adjourn at 7:55 P.M. Motion made first by **Margaret Rohde** and seconded by **Don Jones**. Motion to adjourn approved.

Date Approved on March 23, 2023  
Chair of Meeting Margaret Rohde

*X Margaret Rohde*  
(Required Signature)

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