



# City of West University Place

*A Neighborhood City*

## **CITY COUNCIL**

Bob Higley, Mayor  
Kevin Trautner, Councilmember  
Lauri Lankford, Councilmember  
John P. Barnes, Councilmember  
Ed Sobash, Councilmember

## **STAFF**

David J. Beach, City Manager  
Alan Petrov, City Attorney  
Thelma Gilliam, City Secretary

## **City Council Meeting Agenda**

Notice is hereby given of a **workshop and regular meeting** of the West University Place City Council to be held on **Monday, June 10, 2019** beginning at **6:00 p.m.** in the **Municipal Building** located at 3800 University Boulevard, West University Place, Texas, for the purpose of considering the following agenda items:

Note: All agenda items are subject to action. The City Council reserves the right to meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

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### **WORKSHOP (6:00 p.m. in the Council Conference Room)**

#### **1. Executive Session**

Notice is hereby given that the City Council will convene into Executive Session in accordance with the following provisions of Chapter 551 of the Texas Code:

**Section 551.071** Consult with legal counsel to seek or receive legal advice.

**Section 551.072** Discuss the value, sale, purchase, exchange or transfer of real property with the City.

#### **2. Close Executive Session and Adjourn Workshop**

### **REGULAR MEETING (6:30 p.m. in the Council Chambers)**

Call to Order

Matters related to the notice of this meeting

Pledge of Allegiance

#### **3. Invocation**

Pastor Jeff Smith, St. Andrews Presbyterian Church will lead an invocation.

#### **4. Remarks from City Council**

Matters related to remarks from City Council.

#### **5. Reconvene Regular Meeting and Take Any Desired Action**

Matters related to action, if any, as a result of Executive Session.

#### **6. Public Comments**

This is an opportunity for citizens to speak to Council relating to agenda and non-agenda items. If the topic the speaker wishes to address is on the agenda, the speaker can either speak at this time or defer his/her comments until such time the item is discussed. Speakers are advised that comments cannot be received on matters which are the subject of a public hearing once the hearing has been closed. Public comments must be kept relevant to the subject before the Council.

The presiding officer shall rule on the relevance of comments. Persons making irrelevant, personal, impertinent, or slanderous remarks may be barred by the presiding officer from further comment before the Council during the meeting. Speakers are required to register in advance and must limit their presentations to three minutes each.

**7. Selection of the Mayor Pro Tem**

Matters related to the selection of the Mayor Pro Tem. *Recommended Action: Discuss and take any desired action. Mayor Bob Higley* [see Agenda Memo 7]

**8. Resolution for Poor Farm Ditch**

Matters related to a resolution regarding Poor Farm Ditch. *Recommended Action: Discuss and take any desired action. Mayor Bob Higley* [see Agenda Memo 8]

**9. Suspension in City Council's Compensation**

Matters related to an ordinance suspending City Council's compensation. *Recommended Action: Discuss and take any desired action. Mayor Bob Higley* [see Agenda Memo 9]

**10. Alcohol Variance Request for 6119 Edloe (Pizza Motus)**

Matters related to approving a variance for an alcohol permit to Pizza Motus, 6119 Edloe. *Recommend Action: Approve variance. Mr. Dave Beach, City Manager and Mr. Alan Petrov, City Attorney* [see Agenda Memo 10]

**11. Ordinance Amending the Fee Schedule**

Matters related to an ordinance amending the City's Fee Schedule. *Recommended Action: Adopt ordinance amending the City's Fee Schedule on the first and final reading. Mr. Gerardo Barrera, Interim Public Works Director* [see Agenda Memo 11]

**12. Consent Agenda**

All Consent Agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member requests in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

**A. City Council Minutes**

Approve City Council Meeting Minutes of May 20, 2019, Special Meeting of May 30, 2019, Workshop of June 1, 2019, Workshop of June 2, 2019, and Workshop of June 3, 2019. [see Action Minutes]

**B. Existing Elevated Structures in a Special Flood Hazard Area**

Matters related to the second reading of an ordinance regarding maximum height of existing elevated structures in a special flood hazard area. *Recommendation: Approve ordinance on the second and final reading. Ms. Debbie Scarcella, City Planner* [see Agenda Memo 12B]

**13. Adjourn**

**In compliance with the Americans with Disabilities Act, if you plan to attend this public meeting and you have a disability that requires special arrangements, please contact City Secretary Thelma Gilliam at 713.662.5813 at least 24 hours prior to the meeting so that reasonable accommodations can be made to assist in your participation in the meeting. The Council Chambers is wheel chair accessible from the west entrance and specially marked parking spaces are available in the southwest parking area. Special seating will be provided.**

I certify that the attached notice and agenda of items to be considered by the West University Place City Council on June 10, 2019 was posted on the Municipal Building bulletin board on June 6, 2019 at approximately 5:00 o'clock p.m.

(SEAL)

  
\_\_\_\_\_  
Thelma A. Gilliam, TRMC, CMC, City Secretary

**AGENDA MEMO**  
**BUSINESS OF THE CITY COUNCIL**  
**CITY OF WEST UNIVERSITY PLACE, TEXAS**

<b>AGENDA OF:</b>	June 10, 2019	<b>AGENDA ITEM:</b>	7
<b>DATE SUBMITTED:</b>	June 6, 2019	<b>DEPARTMENT:</b>	Administration
<b>PREPARED BY:</b>	T. Gilliam City Secretary	<b>PRESENTER:</b>	A. Petrov, City Attorney
<b>SUBJECT:</b>	Selection of Mayor Pro Tem		
<b>ATTACHMENTS:</b>	None		
<b>EXPENDITURE REQUIRED:</b>	N/A		
<b>AMOUNT BUDGETED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		

**EXECUTIVE SUMMARY**

Section 2.07 of the Code of Ordinances states “*at its first meeting, Council shall elect one of its members Mayor Pro Tem, who shall perform the duties and have the power of the Mayor during the absence or inability of the mayor to perform the duties of that office.*”

Though not required by law, the councilmember in receipt of the most votes in an election has usually been elected Mayor Pro Tem. It has not been uncommon, however, for councilmembers to recommend another councilmember for the position and voted on by the members of Council.

**RECOMMENDATION**

Staff recommends that Council discuss and take any desired action.

**AGENDA MEMO**  
**BUSINESS OF THE CITY COUNCIL**  
**CITY OF WEST UNIVERSITY PLACE, TEXAS**

<b>AGENDA OF:</b>	June 10, 2019	<b>AGENDA ITEM:</b>	8
<b>DATE SUBMITTED:</b>	June 6, 2019	<b>DEPARTMENT:</b>	Administration
<b>PREPARED BY:</b>	D. Beach, City Manager	<b>PRESENTER:</b>	Bob Higley, Mayor
<b>SUBJECT:</b>	Resolution for Poor Farm Ditch		
<b>ATTACHMENTS:</b>	Resolution		
<b>EXPENDITURE REQUIRED:</b>	N/A		
<b>AMOUNT BUDGETED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		

**EXECUTIVE SUMMARY**

Resolution of the City of West University Place acknowledging the City Council's lack of support for the current design for planned improvements of Poor Farm Ditch by Harris County Flood Control District.

**RECOMMENDATION**

Staff recommends that Council discuss and take any desired action.

**RESOLUTION NO. XXXX-XX**

**A RESOLUTION OF THE CITY OF WEST UNIVERSITY PLACE,  
TEXAS, ACKNOWLEDGING THE CITY COUNCIL'S LACK OF  
SUPPORT FOR THE PLANNED IMPROVEMENTS OF POOR FARM  
DITCH BY THE HARRIS COUNTY FLOOD CONTROL DISTRICT.**

**WHEREAS**, on February 14, 2019, the City of West University Place (the "City" or "West University Place") received plans from the Harris County Flood Control District (District) for Poor Farm Ditch (Ditch) that were 90% complete; and

**WHEREAS**, the District completed the design of the proposed improvements to the point of near completion without any participation of the City, or the City's residents impacted most by the proposed design which is not consistent with past working relationships; and

**WHEREAS**, the City believes the current design impacts the City and its residents significantly and is not an equitable design for all parties involved because the centerline of the Ditch was moved toward the West University Place residents; and

**WHEREAS**, the design will require West University Place residents to pay additional funds for enhancements with screening, fencing and yard drainage to mitigate the impact of the proposed relocation of the Ditch along the City limits of West University Place; and

**WHEREAS**, the City believes the reason the Ditch is failing is due to the lack of enforcement to remove encroachments along the west side, which in turn has necessitated the proposed improvements; and

**WHEREAS**, these encroachments have caused the District to approve a design that shifts the impact of the planned improvements disproportionately to the residents of West University Place; and

**WHEREAS**, the current design will negatively impact the value of homes along Poor Farm Ditch which would not happen if the centerline of the Ditch remains in its current location; and

**WHEREAS**, the City Council supports the City of West University Place hiring an independent engineering firm to review the current design to understand all impacts to the City and its residents;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS:**

1. That the City Council of the City of West University Place does not support the Harris County Flood Control District's current design for Poor Farm Ditch since the design does not equitably distribute the impacts of the

planned improvements and will negatively affect the property values of homes in West University Place by not maintaining the existing centerline of the Ditch.

2. That the City Manager of the City of West University Place is authorized to hire an independent engineering firm to review the design of the proposed improvements to Poor Farm Ditch.
3. That a copy of this Resolution shall be provided to the Harris County Flood Control District.

**PASSED, APPROVED AND ADOPTED** on the 10<sup>th</sup> day of June, 2019.

**Attest:** \_\_\_\_\_  
City Secretary (Seal)

**Signed:** \_\_\_\_\_  
Mayor

Recommended: \_\_\_\_\_  
City Manager

Approved as to legal form: \_\_\_\_\_  
City Attorney

**AGENDA MEMO**  
**BUSINESS OF THE CITY COUNCIL**  
**CITY OF WEST UNIVERSITY PLACE, TEXAS**

<b>AGENDA OF:</b>	June 10, 2019	<b>AGENDA ITEM:</b>	9
<b>DATE SUBMITTED:</b>	June 6, 2019	<b>DEPARTMENT:</b>	Administration
<b>PREPARED BY:</b>	T. Gilliam City Secretary	<b>PRESENTER:</b>	Bob Higley, Mayor
<b>SUBJECT:</b>	Suspension of Council's Compensation		
<b>ATTACHMENTS:</b>	Ordinance		
<b>EXPENDITURE REQUIRED:</b>	N/A		
<b>AMOUNT BUDGETED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		

**EXECUTIVE SUMMARY**

As stated in Section 2.04 of the City's Charter, the Mayor and Council are entitled to receive compensation as established by the City Council. Currently, the mayor receives \$400 monthly and councilmembers each receive \$200 monthly.

The Charter also states that the rate of compensation may be changed by the Council; however, no increase in the rate of compensation shall take effect unless ratified by a majority of the voters in an election.

Therefore, it is being requested that an ordinance be adopted suspending the monthly stipend for the Mayor and Council until May 31, 2021. The action is to suspend the compensation so that a future Council will not have to hold an election in order to reinstate the mayor and council's compensation.

**RECOMMENDATION**

Staff recommends that Council discuss and take any desired action.

**ORDINANCE NO. XXXX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS SUSPENDING SECTION 2-4 OF THE WEST UNIVERSITY PLACE CITY CODE RELATING TO THE COMPENSATION FOR THE MAYOR AND CITY COUNCIL MEMBERS**

**WHEREAS**, Section 2.04 of the City Charter of the City of West University Place, Texas (the "City") provides that the Mayor and Council Members shall be entitled to compensation as established by the City Council; and

**WHEREAS**, pursuant to Section 2.04 of the City Charter, the City Council has previously adopted Section 2-4 of the City Code, establishing the monthly compensation for the Mayor and Council Members as \$400 for the Mayor and \$200 for each Council Member; and

**WHEREAS**, the City Council wishes to suspend payment of any compensation for the Mayor and Council Members during the current City Council term.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS, THAT:**

**Section 1.** The recitals set forth above are found to be true and correct.

**Section 2.** Section 2-4 of the Code of Ordinances of the City is suspended such that no compensation shall be paid to the Mayor and Council Members during such suspension.

**Section 3.** The suspension of Section 2-4 of the Code of Ordinances of the City shall extend from the effective date of this Ordinance and extend until the conclusion of the current City Council term, May 31, 2021.

**Section 4.** All ordinances and parts of ordinances in conflict with this Ordinance are repealed to the extent of the conflict only.

**Section 5.** If any word, phrase, clause, sentence, paragraph, section or other part of this Ordinance or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, neither the remainder of this Ordinance, nor the application of such word, phrase, clause, sentence, paragraph, section or other part of this Ordinance to any other persons or circumstances, shall be affected thereby.

**Section 6.** The City Council officially finds, determines and declares that a sufficient written notice of the date, hour, place and subject of each meeting at which this Ordinance was discussed, considered or acted upon was given in the manner required by the Texas Open Meetings Act, as amended, and that each such meeting has been open to the public as required by law at all times during such discussion, consideration and action.



City of West University Place  
Harris County, Texas

The City Council ratifies, approves and confirms such notices and the contents and posting thereof.

**Section 7.** This Ordinance takes effect immediately upon its passage and adoption on second reading.

**PASSED, APPROVED AND ADOPTED ON FIRST READING** on the \_\_\_\_ day of \_\_\_\_\_, 2019.

**PASSED, APPROVED AND ADOPTED ON SECOND READING, AND SIGNED,** on the \_\_\_\_ day of \_\_\_\_\_, 2019.

**Attest:** \_\_\_\_\_  
City Secretary (Seal)

**Signed:** \_\_\_\_\_  
Mayor

Recommended: \_\_\_\_\_  
City Manager

Approved as to legal form: \_\_\_\_\_  
City Attorney

**AGENDA MEMO**  
**BUSINESS OF THE CITY COUNCIL**  
**CITY OF WEST UNIVERSITY PLACE, TEXAS**

<b>AGENDA OF:</b>	June 10, 2019	<b>AGENDA ITEM:</b>	10
<b>DATE SUBMITTED:</b>	June 5, 2019	<b>DEPARTMENT:</b>	Administration
<b>PREPARED BY:</b>	T. Gilliam City Secretary	<b>PRESENTER:</b>	D. Beach, City Manager A. Petrov, City Attorney
<b>SUBJECT:</b>	Request for Alcohol Variance for 6119 Edloe (Pizza Motus)		
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"> <li>1. Application for Variance</li> <li>2. Emails in Support of Variance</li> </ol>		
<b>EXPENDITURE REQUIRED:</b>	N/A		
<b>AMOUNT BUDGETED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		

**EXECUTIVE SUMMARY**

The City received an application for an alcohol variance from the owners of Pizza Motus located at 6119 Edloe Street, which was the previous location of the Edloe Deli.

Section 109.33 of the Texas Alcoholic Beverage Code states that the board of an incorporated city may enact regulations applicable in the city, prohibiting the sale of alcoholic beverages by a dealer whose place of business is within 300 feet of a church, public or private school or public hospital.

Section 10-6 of the City's Code of Ordinances addresses the issue and reiterates the state's stance. However, state law permits for a governing board of a city that has enacted a regulation as stated above to allow variances to the regulation if the governing body determines that enforcement of the regulation in a particular instance is not in the best interest of the public, constitutes waste or inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or for any other reason the court or governing board, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is the best interest of the community.

The applicant has satisfied all the requirements of the application process, which is the same process used in consideration of the variance application received in the past from Tiny's No. 5.

In addition, City staff has received several emails from residents in support of this variance, which are attached. Staff did not receive any emails that were were not in favor of the variance.

**RECOMMENDATION**

Staff recommends the City Council approve the alcohol variance for Pizza Motus located at 6119 Edloe Street.



# The City of West University Place

*A Neighborhood City*

## APPLICATION TO REQUEST A VARIANCE FOR ALCOHOL PERMIT

Name/Address of Property Owner: Janet Carter  
4018A Blue Bonnet  
Houston, Texas, 77025

Phone/Fax/Email: 713 - 201 - 9990

Name/Address of Proposed Tenant: Edloe Motus LLC  
1120 Welch St  
Houston, Texas, 77006

Phone/Fax/Email: 214 - 683 - 0689

Property Location: 6119 Edloe St  
Houston, Texas, 77005

License Type Being Requested: BG/FB - I - Wine & Beer Retailer's Permit w/ Food & Beverage

DocuSigned by:  
Janet Carter 4/22/2019  
 Signature of Property Owner Date  
 operator

### FOR OFFICE USE

- Pre-App Briefing Held (Request copies of all documentation)
- Proof of Ownership       Plat       \$250.00 Filing Fee

Is third party review necessary (Y/N)? No

Helma Williams 5/16/19  
 City Secretary Date

West University Place


Payor: Edloe Motus/Variance for Alcohol Permit

Item	Revenue Accounts	Amount
Cash Accounts		
PERMIT-ALCOHOL BEVERAGE		\$250.00
101-0000-10101	101-0000-42031	
Comments: Application to Request a Variance for Alcohol Permit		
	Check 1031	\$250.00
	Total tendered	\$250.00
	Total paid	\$250.00
	Change	\$0.00


Transaction Date: May 30, 2019 8:36:02 AM Batch: CCR-L-053019-1 Cashier:


**EDLOE MOTUS, LLC**  
8119 EDLOE ST.  
HOUSTON, TX 77005

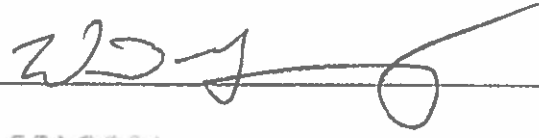
1031  
88 2526/1130  
08

DATE 5/16/2019 

PAY TO THE ORDER OF City of West University Place \$ 250

Two hundred & fifty DOLLARS 

 TEXAS CITIZENS BANK, N.A.  
P.O. BOX 890029  
HOUSTON, TEXAS 77289-0029

FOR Fee 



# The City of West University Place

*A Neighborhood City*

## PROCEDURES TO APPLY FOR A VARIANCE FOR ALCOHOL PERMITS

*For the City of West University Place to consider granting a variance to establishments seeking an on-premise or off-premise permit to sell alcohol on property located in the City within 300 feet of any church or school, the following procedures will apply:*

1. **Pre-application briefing** *(This subsection only applies to applications which the City Manager determines could have a significant effect upon nearby properties).*
  - (a) Before filing an application, the applicant must give notice and conduct a public briefing. Notices of said briefing must be: (i) mailed to all owners of property located in whole or in part within 300 feet of the site; (ii) mailed to all City utility ratepayers for premises located in whole or in part within 300 feet of the site; (iii) posted at the entrance of the site in question; (iv) mailed to the City Secretary, and (v) mailed to the City Manager.
  - (b) Notices must be mailed and posted no later than the 10<sup>th</sup> day preceding the date of the briefing and must include time, date, location, and details of the briefing.
  - (c) The briefing must be open to the public and held within one mile of the site.
  - (d) At the briefing, the applicant must: (i) describe the proposed structures, uses and justification for the permit, the application documents and the application process, (ii) describe the possible alternatives and state why they were rejected; (iii) solicit suggestions from persons at the meeting, and (iv) keep detailed written minutes showing the names and addresses of all persons notified, all attendees and a synopsis of the matters discussed and provides copies of the information to the City Secretary.
2. **City Secretary receives application.** The applicant, for a variance of this type or a special exception, must submit to the City Secretary the following:
  - (a) A written application signed by the owner of the site in question and the proposed operator, if different. *Exception: The City Manager may waive or modify this requirement for publicly-owned, jointly-owned or leased sites.*
  - (b) Proof of ownership in a form satisfactory to the City Council.
  - (c) A plat prepared by a registered public surveyor showing the site in question, areas adjacent to the building site existing structures and proposed structures. *If substantially the same information is shown on any plat required by Chapter 74 of the Code of Ordinances, such plat may be accepted by the City Council.*
  - (d) Filing fee of \$250.00 for the application.
3. **Third-party reviews.** If required by the City Manager or the City Council, the application may be submitted to a third-party consultant, advisor or expert. Unless

otherwise prescribed by the City Manager or City Council, the cost of such review must be paid by the applicant in advance. Such review could be requested to resolve technical or regulatory issues raised by the application process, including: (i) accuracy and completeness of application; (ii) analysis techniques and methodologies, (iii) validity of conclusions reached; (iv) other technical or regulatory issues. To provide time for such review, any hearing may be postponed. Any fees associated with postponing, i.e. re-noticing, etc., will be at the expense of the applicant.

4. **Notice and Hearing.** Before issuing any variance, City Council must provide notice and an opportunity for any interested person to be heard. The notice shall be given in a form prescribed or approved by the City Council, on or before the 15<sup>th</sup> day preceding the hearing, as follows:
  - (a) By mailing a copy of the notice to the owners of building sites located within the City and located in whole or in part within 300 feet of any part of the building site upon which the variance is sought, as such owners are shown on the most recent tax roll of the City.
  - (b) By publishing the notice in a newspaper of general circulation in the City and on the building site in question as prescribed by the City Council.
  - (c) The City Council may prescribe additional notice for hearing or rehearings of a matter for which notice is initially given as prescribed above, and if additional notice is prescribed, the City Council may also prescribe the form and manner of giving any such additional notice.
5. **Council Approval.** The applicant's request for a variance will require majority vote of the members of Council for approval.
6. **Texas Alcoholic Beverage Commission Approval.** Applicants must apply for and receive approval from TABC upon the request being granted by the City.

JOHN BARNES, 3419 PLUMB

STACY BREWARD, NONRESIDENT

BRENNAN REILLY, 3731 RICE BLVD

Roger Martin - Resident 6532 Mercer & 6115 A Edloe

Ann Martin - Resident 6532 Mercer & 6115A Edloe

Deborah Cohen - resident 3701 Rice Blvd Houston 77005

BILL MAY

||

||

L-H: WENDY YU - RESIDENTS 4015 RILEY & 6115 EDLOE, suite E

## Minutes of public hearing regarding Pizza Motus intent to file a variance request

6.30 pm Tuesday April 2<sup>nd</sup> 2019

- 6.35pm Will Gruy begins meeting by thanking everyone for attending
- Will Gruy explains Texas legal code Section 109.33.e, which allows – but does not obligate – cities to regulate beer and wine sales within 1,000 feet of schools and churches
- Will Gruy explains that the City of West University Place has enacted such legislation and a variance from the city of West University Place would be required to obtain a traditional beer and wine permit from the TABC
- Will Gruy explains other ways to serve alcohol without a traditional TABC permit
  - Private Club – dislikes because restricts BYOB and is operationally not efficient, it's also a work-around
  - Free alcohol – dislikes because no revenue only cost and any suggested or implied tip is illegal and thus would put the business at risk. Also disliked because this is what a neighbor restaurant does and Pizza Motus does not want to directly compete with them
  - BYOB with or without cork fee – currently operate as a BYOB no cork fee restaurant. Cork fee would not impact revenue in any significant way. People enjoy BYOB but many people prefer to not have to bring their own alcohol. Many potential clients have walked out upon realizing they cannot buy beer or wine.
- Will Gruy explains that sales have been below expectations and that without an upward trend in revenue the restaurant will have a hard time maintaining quality and thus remaining open.
- 6.50pm Will Gruy solicits questions and comments
- Li-Hs Yu asks what he can do to help – Will Gruy responds being at the meeting and then attending the eventual variance hearing helps
- Li-Hs comments that the neighborhood needs businesses like Pizza Motus and that losing it because of this would be a shame
- Brennan Reilly voices his support and says okay let's get this done
- Roger Martin and Bill May discuss the difficulty and cost of getting surveys and plats completed
- Deborah Cohen voices support for variance and suggests other ways to help the business
- Brennan Reilly notes that Edloe Deli had beer and wine license for years and that the only reason Pizza Motus couldn't get one without a variance is because the Edloe Deli let their license expire and thus lost the grandfathering
- All meeting participants voiced support of the proposed variance and wanted to support the efforts of Pizza Motus

Minutes taken by Analee Garcia Gruy

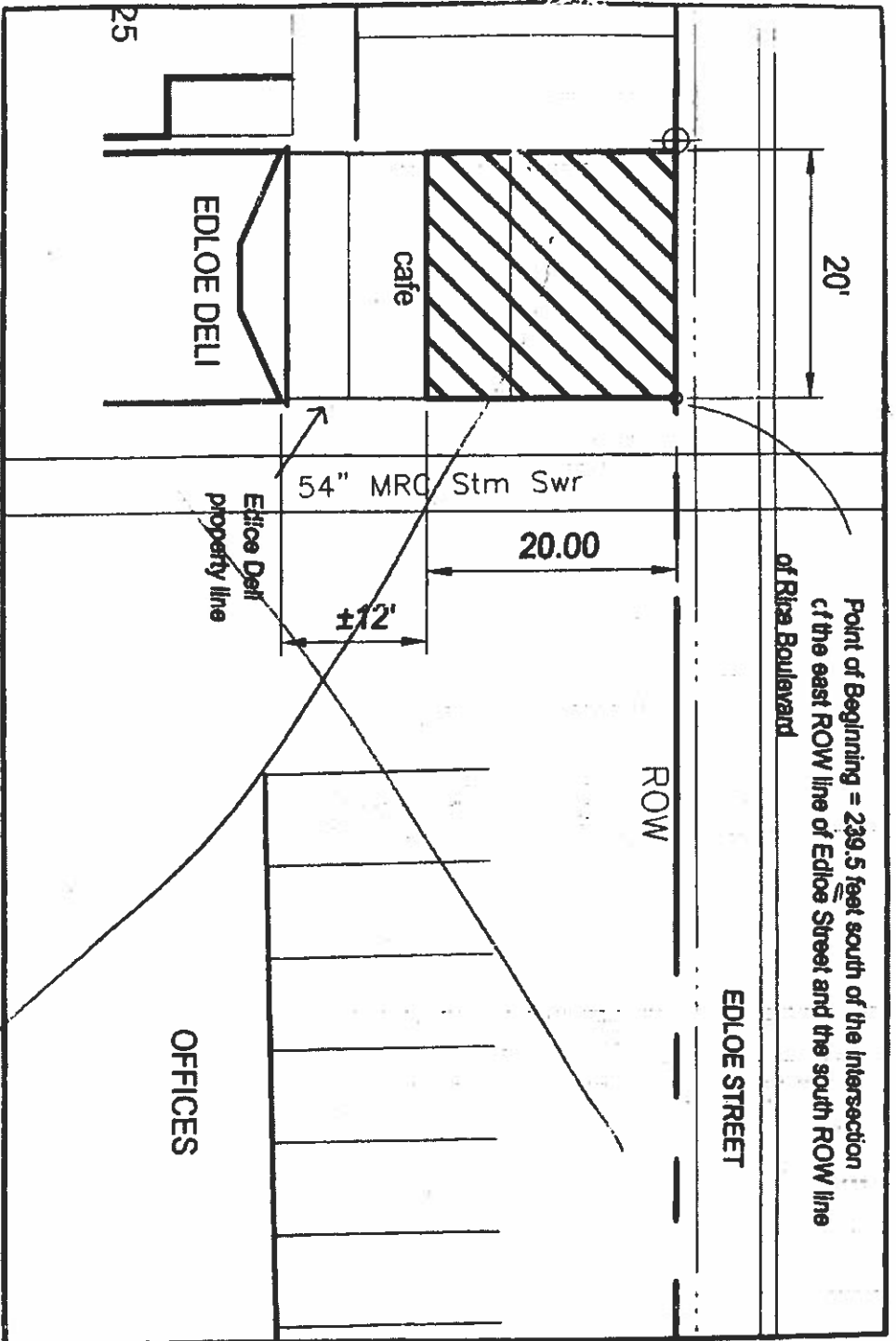


day of February, 1979, and continuing on the same day or each succeeding calendar month thereafter until the whole of said note has been paid.

192-05-0900

flat 6119 Edloe

All that certain tract or parcel of land, being the most Southerly 20 feet by 155 feet of that certain strip of land 100 feet in width and 155 feet in depth and out of a certain 103.4 acre tract of land in the A. C. Reynolds Survey, Abstract No. 61, in Harris County, Texas, which 103.4 acre tract of land is fully described in deed from Charles A. Wood and wife to W. D. Haden and D. T. Austin, recorded in Volume 564, Page 219 of the Deed Records of Harris County, Texas, also known as 6119 Edloe Street, Houston, Texas.



Point of Beginning = 239.5 feet south of the intersection  
of the east ROW line of Edloe Street and the south ROW line  
of Riva Boulevard

EDLOE STREET

ROW

OFFICES

cafe

EDLOE DELI

54" MRC Stm Swr

20.00

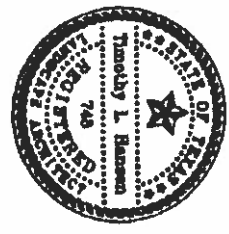
±12'

Edloe Dell  
property line

25

6119 Edloe Street in the City of West University Place, Texas, situated in the A. C. Reynolds Survey, Abstract No. 61, Harris County, Texas, which tract is described in the "special Warranty Deed With Assumption" to Janet Elaine Carter, grantee, recorded under Harris County clerk's register number: N689966 (Film code 057-66- 0427 et seq.). The Easement Area has the dimensions indicated in the drawing, above, and lies adjacent and parallel to the out right of way line of Edloe Street.

TIM HITCHCOCK, TOLU  
UNDISCOVERED PROPERTIES  
535 ROBERTWOOD AVENUE  
HOUSTON, TEXAS 77006  
713-444-6445 445-1112 FAX





COPY

April 6, 2019

Mr. David Beach  
City Manager  
City of West University Place  
3700 University Blvd  
West University Place, TX 77005

Subject: Motus Pizza Application for Beer/Wine Permit

Dear Sir:

My office (6115-C Edloe) is right next to Motus Pizza (6119 Edloe). I have met Will Guy and watched with interest as he has moved into his location and started his business. His conduct has been exemplary throughout, making him a welcome addition to our commercial area.

Mr. Guy is requesting a permit to sell wine and beer in his restaurant. I support this application. He caters to a family-oriented clientele that has come to expect wine and beer service with their food. It is also essential to the success of his enterprise. I am convinced he will maintain the highest standards required not only by the city but by his business neighbors and the citizens of our city.

Please forward this to whomever you deem appropriate and advise if you would like any further information from me. Thank you in advance for your consideration.

Sincerely,

Robert A. Fry

HARRIS COUNTY APPRAISAL DISTRICT  
 REAL PROPERTY ACCOUNT INFORMATION  
**0410170030040**

Tax Year: 2019

**Print**

Owner and Property Information										
Owner Name & Mailing Address: <b>CARTER JANET E % EDLOE STREET CAFE &amp; DELI 3776 JARDIN ST HOUSTON TX 77005-3649</b>						Legal Description: <b>TR 155 ABST 61 A C REYNOLDS</b> Property Address: <b>6119 EDLOE ST HOUSTON TX 77005</b>				
State Class Code	Land Use Code	Building Class	Total Units	Land Area	Building Area	Net Rentable Area	Neighborhood	Market Area	Map Facet	Key Map®
F1 -- Real, Commercial	8002 -- Land Neighborhood Section 2	E	0	3,101 SF	1,489	0	5905.03	5003 -- Inner Loop West	5255A	532B

**Value Status Information**

Value Status	Notice Date	Shared CAD
Noticed	04/23/2019	No

**Exemptions and Jurisdictions**

Exemption Type	Districts	Jurisdictions	Exemption Value	ARB Status	2018 Rate	2019 Rate
<b>None</b>	001	HOUSTON ISD		Not Certified	1.206700	
	040	HARRIS COUNTY		Not Certified	0.418580	
	041	HARRIS CO FLOOD CNTRL		Not Certified	0.028770	
	042	PORT OF HOUSTON AUTHY		Not Certified	0.011550	
	043	HARRIS CO HOSP DIST		Not Certified	0.171080	
	044	HARRIS CO EDUC DEPT		Not Certified	0.005190	
	048	HOU COMMUNITY COLLEGE		Not Certified	0.100263	
	085	WEST UNIVERSITY PLACE		Not Certified	0.316800	

Texas law prohibits us from displaying residential photographs, sketches, floor plans, or information indicating the age of a property owner on our website. You can inspect this information or get a copy at **HCAD's information center at 13013 NW Freeway.**

**Valuations**

Value as of January 1, 2018				Value as of January 1, 2019			
	Market	Appraised		Market	Appraised		
Land	186,818		Land	186,818			
Improvement	66,794		Improvement	105,839			
<b>Total</b>	<b>253,612</b>	<b>253,612</b>	<b>Total</b>	<b>292,657</b>	<b>292,657</b>		

**Land**

Market Value Land												
Line	Description	Site Code	Unit Type	Units	Size Factor	Site Factor	Appr O/R Factor	Appr O/R Reason	Total Adj	Unit Price	Adj Unit Price	Value
1	8002 -- Land Neighborhood Section 2	4321	SF	2,601	1.00	1.00	0.75	Shape or Size	0.75	90.00	67.50	175,568.00
2	8002 -- Land Neighborhood Section 2	4321	SF	500	1.00	1.00	0.25	Restr or Non-Conf	0.25	90.00	22.50	11,250.00

**Building**

Building	Year Built	Remodeled	Type	Style	Quality	Impr Sq Ft	Building Details
1	1949	2018	Restaurant	Restaurant	Average	1,489	Displayed

**Building Details (1)**

Building Data		Building Areas	
Element	Detail	Description	Area
Cooling Type	Central / Forced		

**NOTICE of PUBLIC HEARING**  
**6.30pm on Tuesday April 2<sup>nd</sup> 2019**  
**at Pizza Motus**

Pizza Motus (Edloe Motus LLC) intends to file a variance request from the City of West University Place regarding obtaining a beer and wine retailers license at 6119 Edloe Street, Houston, Texas, 77005. Under current city ordinance, our proximity to West University Elementary School prohibits us from obtaining such a permit from the TABC.

**We would like to hear your opinions**  
**– both in support and not –**  
**so that we can better serve our community**

**Free pizza will be provided**

**Meeting invitation dropped off at the following addresses**

No.	House Number	Street	Home / Business	Date delivered
1	3756	University	West U Elementary	3/20/2019
2	3601	Rice	home	3/23/2019
3	3605	Rice	home	3/23/2019
4	3609	Rice	home	3/23/2019
5	3615	Rice	home	3/23/2019
6	3617	Rice	home	3/23/2019
7	3633	Rice	BBVA Compass	3/20/2019
8	3701	Rice	home	3/20/2019
9	3707	Rice	home	3/23/2019
10	3711	Rice	home	3/23/2019
11	3715	Rice	home	3/23/2019
12	3719	Rice	home	3/23/2019
13	3723	Rice	home	3/23/2019
14	3724	Rice	home	3/23/2019
15	3720	Rice	home	3/23/2019
16	3716	Rice	home	3/23/2019
17	3712	Rice	home	3/23/2019
18	3706	Rice	home	3/23/2019
19	3700	Rice	home	3/20/2019
20	3624	Rice	home	3/23/2019
21	3620	Rice	home	3/23/2019
22	3610	Rice	home	3/23/2019
23	3606	Rice	home	3/23/2019
24	3602	Rice	home	3/23/2019
25	6104	Mercer	home	3/23/2019
26	3600	Amherst	home	3/23/2019
27	3604	Amherst	home	3/23/2019
28	3610	Amherst	home	3/23/2019
29	3616	Amherst	home	3/23/2019
30	3618	Amherst	home	3/23/2019
31	3621	Amherst	home	3/23/2019
32	3617	Amherst	home	3/23/2019
33	3615	Amherst	home	3/23/2019
34	3611	Amherst	home	3/23/2019
35	3607	Amherst	home	3/23/2019
36	3601	Amherst	home	3/23/2019
37	3602	University	home	3/23/2019
38	3604	University	home	3/23/2019
39	3614	University	home	3/23/2019
40	3618	University	home	3/23/2019
41	3620	University	home	3/23/2019
42	3622	University	West U Travel	3/20/2019
43	3642	University	Business, suite 200, 201, 250	3/20/2019
44	3642	University	West U Orthodontics	3/20/2019
45	3642	University	Soho Couture	3/20/2019

46	3642	University	Studio 3	3/20/2019
47	6221	Edloe	Business, suite 201, 202	3/20/2019
48	6217	Edloe	Mandy Rochelle Design	3/20/2019
49	6211 / 6207	Edloe	Avenue Fitness	3/20/2019
50	6209	Edloe	Julie Rhodes	3/20/2019
51	6203	Edloe	Xavier / Little Matts	3/20/2019
52	6129	Edloe	Xavier / Writers in the Round	3/20/2019
53	6125	Edloe	Masonic Lodge	3/20/2019
54	6115	Edloe	Marinus Investments	3/20/2019
55	6115	Edloe	RenuU	3/20/2019
56	6115	Edloe	Roger Martin	3/20/2019
57	6115	Edloe	Agency Yu	3/20/2019
58	6115	Edloe	Dance Studio	3/20/2019
59	3636	Rice	Texas Citizens	3/20/2019
60	3636	Rice	Tiny's No. 5	3/20/2019
61	e-mail	e-mail	City Manager	3/18/2019
62	e-mail	e-mail	City Secretary	3/23/2019
63	3707	Rice	West U Scout House	3/23/2019

#### Attended meeting

First Name	Last Name	Address	Notes
John	Barnes	3419 Plumb	
Stacy	Brevard	non-resident	West U Rotary Club
Brennan	Reilly	3731 Rice Blvd	
Roger	Martin	6532 Mercer & 6115 Edloe	
Ann	Martin	6532 Mercer & 6115 Edloe	
Deborah	Cohen	3701 Rice	
Bill	May	3701 Rice	
Li-hs & Wendy	Yu	4015 Riley & 6115 Edloe	

**From:** [REDACTED]  
**To:** [Thelma A. Gilliam, TRMC, CMC](#)  
**Subject:** Pizza Motus - Beer and Wine License  
**Date:** Thursday, May 23, 2019 8:10:31 PM

---

Hi,

I live in West U within walking distance to Pizza Motus. I am in favor of a Beer and Wine License for the restaurant.

Thank you,

Ede Booth

Sent from my iPad



**From:** [REDACTED]  
**To:** [Thelma A. Gilliam, TRMC, CMC](#)  
**Subject:** Pizza Motus - beer/wine permit  
**Date:** Thursday, May 23, 2019 5:32:58 PM

---

I am writing in favor of granting a beer & wine license to Pizza Motus.

With the BYOB policy, diners must plan ahead for a libation with their pizza, and those who have forgotten may opt for a more full service menu at a different place. Pizza Motus needs this license which will increase revenue, and the city of West U will increase taxes.

It's a WIN/WIN.

Please consider granting this permit to allow this neighborhood gathering spot to be more profitable.

Regards,  
Laura Gruy

Sent from my iPhone

**From:** [REDACTED]  
**To:** [Thelma A. Gilliam, TRMC, CMC](#)  
**Subject:** Pizza Motus variance  
**Date:** Friday, May 24, 2019 7:20:20 PM

---

Hi Thelma,

I wanted to write to express my support of the proposed variance for Pizza Motus to add beer/wine to the menu. I hope we can retain them in the community as it's great to have variety for family friendly dining options.

Best,  
Tracy McKinney

[REDACTED]

Sent from my iPhone

**From:** [REDACTED]  
**To:** [Thelma A. Gilliam, TRMC, CMC](#)  
**Subject:** Pizza Motus Variance  
**Date:** Friday, May 24, 2019 11:28:28 AM

---

Thelma,

I am supportive of the proposed variance for Pizza Motus to add beer/wine and look forward to their continued addition to the dining scene.

Scott McKinney



**From:** [REDACTED]  
**To:** [Thelma A. Gilliam, TRMC, CMC](#)  
**Subject:** Pizza Motus  
**Date:** Wednesday, June 05, 2019 9:13:21 AM

---

Dear Thelma,

I wanted to write a quick email to the City to share my support for Pizza Motus obtaining a TABC license. It is great for these small neighborhood restaurants (Pizza Motus, Tinys, Little Matt's) to be committed to the area, and allowing them to offer the full range of products that they want to sell to keep their business viable and to appeal to the local patrons should be a key focus for the City. As a father of two boys at West University Elementary School, I would love Pizza Motus to offer a wider range of products so that we can increase our patronage of the restaurant and be part of it's future success.

Best regards,  
Ronald Duguid

[REDACTED]

**From:** [REDACTED]  
**To:** [Thelma A. Gilliam, TRMC, CMC](#)  
**Subject:** Pizza Motus  
**Date:** Friday, May 24, 2019 1:24:43 AM

---

I live at 6610 Auden Street, Houston TX 77005. I support the variance for wine and beer sales at pizza motus. Thank you Randy Weber

**From:** [REDACTED]  
**To:** [Thelma A. Gilliam, TRMC, CMC](#)  
**Subject:** Pizza Motus!  
**Date:** Thursday, May 23, 2019 5:23:55 PM

---

Hi Ms Gilliam —

Please count me on the side of allowing Pizza Motus to get a beer/wine license! Love that place and love wine!

Thank you!

Melissa

**AGENDA MEMO**  
**BUSINESS OF THE CITY COUNCIL**  
**CITY OF WEST UNIVERSITY PLACE, TEXAS**

<b>AGENDA OF:</b>	June 10, 2019	<b>AGENDA ITEM:</b>	11
<b>DATE SUBMITTED:</b>	June 6, 2019	<b>DEPARTMENT:</b>	Public Works
<b>PREPARED BY:</b>	G.Barrera, Interim Public Works Dir.	<b>PRESENTER:</b>	G.Barrera, Interim Public Works Director
<b>SUBJECT:</b>	<b>Fee Schedule Update – First/Final Reading</b>		
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"> <li>1. Proposed Ordinance</li> <li>2. Appendix A – Fee Table</li> </ol>		
<b>EXPENDITURE REQUIRED:</b>	N/A		
<b>AMOUNT BUDGETED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		

**EXECUTIVE SUMMARY**

During the recent session, the Texas State House passed HB 852 that was signed into law by Governor Abbott on May 21, 2019 and became effective immediately.

The new law changes the way cities consider permit and inspection fees for new and renovated homes. City may no longer consider the following in determining the amount of building permit or inspection fees:

1. The value of the dwelling,
2. The cost of constructing or improving the dwelling, and
3. The City may not require the disclosure of information related to the value of or cost of constructing or improving a residential dwelling as a condition of obtaining a building permit except as required by the Federal Emergency Management Agency for participation in the National Flood Insurance Program.

The new law only impacts West U with remodeling and repair permits, because new home construction is based off the square footage of the home and not value. Below are the proposed changes to the City's Fee Schedule:

**AGENDA MEMO**  
**BUSINESS OF THE CITY COUNCIL**  
**CITY OF WEST UNIVERSITY PLACE, TEXAS**

F.004 BUILDING	FY 2019 Approved	Proposed 2019 Fee
Remodeling and repair permit fee (Single Family Residential)	\$20.00 for \$1,000 or less in construction value plus \$3.75 per \$1,000 in construction value thereafter	Solar panel installation - \$100; roof & siding - \$85; generator installation - \$60; window replacement - replace 1-10 windows - \$60; replace > 11 windows - \$160; remodels/additions - \$.55 cents per square foot
Remodeling and repair permit (other)	\$60.00 for \$1,000 or less in construction value, plus \$3.75 per \$1,000 in construction value thereafter	<del>\$60.00 for \$1,000 or less in construction value, plus \$3.75 per \$1,000 in construction value thereafter</del>

The proposed fees along with all other fees will be reviewed during the 2020 Annual Budget process to ensure that the City is covering the cost to provide these services.

Due to the fact that the law became effective immediately, staff with the City Attorney's approval is recommending the fees be approved on the first and final reading.

The City Attorney has reviewed per legal form.

**RECOMMENDATION**

Staff recommends the City Council approve the Ordinance revising section F.004 Building fees of the 2019 Fee Schedule on first and final reading.



City of West University Place  
Harris County, Texas

**ORDINANCE NO. XXXX**

**AN ORDINANCE AMENDING APPENDIX E - FEES AND CHARGES SCHEDULE OF THE CODE OF ORDINANCES OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS, BY AMENDING SECTION F.004 – BUILDING, TO COMPLY WITH CHANGE IN STATE LAW PROHIBITING CERTAIN VALUE-BASED BUILDING PERMIT AND INSPECTION FEES; AND CONTAINING FINDINGS AND PROVISIONS RELATING TO THE SUBJECT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS, THAT:**

**Section 1.** All ordinances and parts of ordinances in conflict with this Ordinance are repealed to the extent of the conflict only.

**Section 2.** If any word, phrase, clause, sentence, paragraph, section or other part of this Ordinance or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, neither the remainder of this Ordinance, nor the application of such word, phrase, clause, sentence, paragraph, section or other part of this Ordinance to any other persons or circumstances, shall be affected thereby.

**Section 3.** Section F.004 – Building, of Appendix E - Fees and Charges Schedule of the Code of Ordinances of the City of West University Place, Texas is hereby amended to read in its entirety as set out in Appendix “A”, which is attached and made a part of this Ordinance.

**Section 4.** The new and changed fees and charges shall apply to each billing period beginning upon the approval of this Ordinance. For billing periods prior to the approval of this Ordinance, the fees and charges in effect immediately prior to the approval of this Ordinance shall govern.

**Section 5.** The City Council officially finds, determines and declares that a sufficient written notice of the date, hour, place and subject of each meeting at which this Ordinance was discussed, considered or acted upon was given in the manner required by the Texas Open Meetings Act, as amended, and that each such meeting has been open to the public as required by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof.

**Section 6.** The City Council further finds, determines and declares that an

emergency exists such that this Ordinance shall take effect immediately upon its passage and adoption on the first and final reading.

**PASSED, APPROVED and ADOPTED on first and final reading on the 10<sup>th</sup> day of June, 2019.**

**Attest:** \_\_\_\_\_  
City Secretary (Seal)

**Signed:** \_\_\_\_\_  
Mayor

Recommended: \_\_\_\_\_  
City Manager

Approved as to legal form: \_\_\_\_\_  
City Attorney

**Appendix "A"**  
 Amended Section F.004, Appendix E to the Code of Ordinances  
 (Addition shown by underline; deletion shown by strike-out)

F.004 - BUILDING

	FY2019	
Annual contractor registration fee	\$ 75.00	
Permit application fee	\$ 40.00	In addition to applicable plan checking or permit fee
Plan checking fee (applies to all plan submissions, unless otherwise specifically indicated; payable in addition to permit fee)	50% of the corresponding permit fee	Plan checking fee must be paid each time plans are submitted or resubmitted. <i>Exception:</i> The building official may reduce the resubmission fee if the time required to check the resubmission is materially lower than original submission; \$25.00 minimum
Drainage plan review fees	\$ 25.00	
New construction permit fee (Single family residential)	\$0.55 per square foot	
New construction permit fee (Other)	\$0.55 per square foot	
Remodeling and repair permit fee (Single family residential)	See Note	<u>\$110.00 for solar panel installation; \$85.00 for roof and siding replacement; \$60.00 for generator installation; \$60.00 for window replacement (up to ten windows); \$160.00 for window replacement (if more than 10 windows); \$0.55 per square foot for remodels and additions \$20.00 for \$1,000.00 or less in construction value plus \$3.75 per \$1,000.00 in construction value thereafter</u>
<u>Remodeling and repair</u>	<u>See Note</u>	<u>\$60.00 for \$1,000.00 or less in construction value plus \$3.75 per \$1,000.00 in construction</u>

**Comment [GB1]:** G generator installation was not included.

permit fee (Other)		value thereafter
Fence or wall permit fee		\$0.85 per linear foot; \$30.00 min.
Driveway permit fee	\$ 80.00	Includes entrance ramp permit fee
Fire systems		
Plan checking fee: \$100.00 per set for original submission, \$50.00 for resubmission (not credited to permit fees). Permit fees are \$50.00 for each automatic fire extinguishing system and each alarm and detection system. For sprinkler systems, the fee is increased by either \$25.00 (residential) or \$50.00 plus \$1.75 per head (non-residential). Fire system fees are payable in addition to all other fees.		
Sidewalk permit fee	\$1.00 per linear foot	
Street or curb permit fee	\$ 25.00	For regulated facilities under Chapter 19, add \$150.00 for plan-checking plus application fees
<p><i>Exception:</i> The permit fee for work affecting new roadways under Chapter 19 is \$100.00, plus the estimated out-of-pocket expenses that may be incurred by the City in connection with the work, including engineering review, extra inspections or testing, supplemental traffic control, etc. The building official shall estimate such expenses at the time of application and shall collect at least 110% of the estimate as a deposit. The building official may require a permittee to supplement the deposit as the work proceeds. When the work is finished, the building official shall refund any part of the deposit that exceeds the actual permit fees due in connection with the work.</p>		
PWSF (low-impact) permit, for equipment attached to existing structures with no new electrical, alteration or construction	\$100.00 per site	Non-low-impact PWSF permits require a special exception; see F.022, below
All other PWSF (low-impact) permits	\$500.00 per site	Non-low-impact PWSF permits require a special exception; see F.022, below
Registration for house movers fee	\$ 500.00	
Renewal fee	\$ 400.00	

**Comment [GB2]:** This entire section can be removed.

Moving permit fee	\$ 500.00	
Occupancy inspection fee (Single family residential)	\$ 50.00	
Occupancy inspection fee (Other)	\$ 100.00	
3/8" Water connection permit and meter service installation, to upgrade or add to an existing structure	Eliminated	Short Side Service Connection. Irrigation Only Services are restricted to 3/4-inch service or less.
3/8" Water connection permit and meter service installation, to upgrade or add to an existing structure	Eliminated	Long Side Service Connection. Irrigation Only Services are restricted to 3/4-inch service or less.
3/8" Water connection permit and meter service installation to service new structure	Eliminated	Short Side Service Connection. Irrigation Only Services are restricted to 3/4-inch service or less.
3/8" Water connection permit and meter service installation to service new structure	Eliminated	Long Side Service Connection. Irrigation Only Services are restricted to 3/4-inch service or less.
3/4" Water connection permit and meter service installation, to upgrade or add to an existing structure	\$ 1,200.00	Short Side Service Connection. Irrigation Only Services are restricted to 3/4-inch service or less.
3/4" Water connection permit and meter service installation, to upgrade or add to an existing structure	\$ 2,000.00	Long Side Service Connection. Irrigation Only Services are restricted to 3/4-inch service or less.
3/4" Water connection permit and meter service installation to service new structure	\$ 3,200.00	Short Side Service Connection. Irrigation Only Services are restricted to 3/4-inch service or less.
3/4" Water connection permit and meter service installation	\$ 4,000.00	Long Side Service Connection. Irrigation Only

to service new structure		Services are restricted to ¾-inch service or less.
1" Water connection permit and meter service installation, to upgrade or add to an existing structure	\$ 1,400.00	Short Side Service Connection. Irrigation Only Services are restricted to ¾-inch service or less.
1" Water connection permit and meter service installation, to upgrade or add to an existing structure	\$ 2,200.00	Long Side Service Connection. Irrigation Only Services are restricted to ¾-inch service or less.
1" Water connection permit and meter service installation to service new structure	\$ 3,300.00	Short Side Service Connection. Irrigation Only Services are restricted to ¾-inch service or less.
1" Water connection permit and meter service installation to service new structure	\$ 4,500.00	Long Side Service Connection. Irrigation Only Services are restricted to ¾-inch service or less.
1½" Water connection permit and meter service installation, to upgrade or add to an existing structure	\$ 2,200.00	Short Side Service Connection. Irrigation Only Services are restricted to ¾-inch service or less. Services greater in size than 1" require that certification based on minimum pipe sizes as listed in the Plumbing Code currently adopted by the City. This certification must be prepared, signed and sealed by a Licensed Professional Engineer.
1½" Water connection permit and meter service installation, to service new structure	\$ 2,900.00	Long Side Service Connection. Irrigation Only Services are restricted to ¾-inch service or less. Services greater in size than 1" require that certification based on minimum pipe sizes as listed in the Plumbing Code currently adopted by the City. This certification must be prepared, signed and sealed by a Licensed Professional Engineer.
1½" Water connection permit and meter service installation, to service new	\$ 3,500.00	Short Side Service Connection. Irrigation Only Services are restricted to ¾-inch service or less. Services greater in size than 1" require that certification based on minimum pipe sizes as

structure		listed in the Plumbing Code currently adopted by the City. This certification must be prepared, signed and sealed by a Licensed Professional Engineer.
1½" Water connection permit and meter service installation, to upgrade or add to an existing structure	\$ 4,600.00	Long Side Service Connection. Irrigation Only Services are restricted to ¾-inch service or less. Services greater in size than 1" require that certification based on minimum pipe sizes as listed in the Plumbing Code currently adopted by the City. This certification must be prepared, signed and sealed by a Licensed Professional Engineer.
2" Water connection permit and meter service installation, to upgrade or add to an existing structure	\$ 2,200.00	Short Side Service Connection. Irrigation Only Services are restricted to ¾-inch service or less. Services greater in size than 1" require that certification based on minimum pipe sizes as listed in the Plumbing Code currently adopted by the City. This certification must be prepared, signed and sealed by a Licensed Professional Engineer.
2" Water connection permit and meter service installation, to upgrade or add to an existing structure	\$ 2,900.00	Long Side Service Connection. Irrigation Only Services are restricted to ¾-inch service or less. Services greater in size than 1" require that certification based on minimum pipe sizes as listed in the Plumbing Code currently adopted by the City. This certification must be prepared, signed and sealed by a Licensed Professional Engineer.
2" Water connection permit and meter service installation to service new structure	\$ 3,500.00	Short Side Service Connection. Irrigation Only Services are restricted to ¾-inch service or less. Services greater in size than 1" require that certification based on minimum pipe sizes as listed in the Plumbing Code currently adopted by the City. This certification must be prepared, signed and sealed by a Licensed Professional Engineer.

2" Water connection permit and meter service installation to service new structure	\$ 4,600.00	Long Side Service Connection. Irrigation Only Services are restricted to ¾-inch service or less. Services greater in size than 1" require that certification based on minimum pipe sizes as listed in the Plumbing Code currently adopted by the City. This certification must be prepared, signed and sealed by a Licensed Professional Engineer.
Water connection permit for any service greater than 2" will require that the owner or contractor acquire the services of a company with a Licensed Master Plumber registered with the City.	\$ 475.00	Fee covers plan checking cost and permit cost only. The City provides no construction or materials. Irrigation Only Services are restricted to ¾-inch service or less. Services greater in size than 1" require that certification based on minimum pipe sizes as listed in the Plumbing Code currently adopted by the City. This certification must be prepared, signed and sealed by a Licensed Professional Engineer.
Sanitary Sewer, connection permit and service installation for any service	Actual Cost Plus \$375.00	Fee will be based on actual cost plus \$375.00, for most customers this will involve a concrete cut in the roadway and total cost are expected to be from \$8,000.00 to \$12,000.00. There is no fee to use an existing service that is on the property with a usable cleanout in the street ROW, if the sewer was either installed or approved by the city.
Demolition permit fee	\$ 250.00	
Swimming pool permit fee	\$ 150.00	
Duplicate permit charge	\$ 25.00	
Duplicate permit card fee	\$ 100.00	
Premature work charge (Starting before permit is issued)		100% of the permit fee (additional) \$150.00 minimum
Reinspection fee (following	\$ 100.00	Must be paid before reinspection and in any event before any certificate of occupancy or



routine inspection)		similar approval is issued. Fees may be appealed to BSC, and may be paid without prejudice to such an appeal.
Reinspection fee (mandatory reinspection following notice of violation of building or zoning ordinances or other applicable regulations)	\$125.00 for the first violation item plus \$25.00 for each additional	Must be paid before any other inspections are scheduled, and in any event before any certificate of occupancy or similar approval is issued. Fees may be appealed to BSC, and may be paid without prejudice to such an appeal. BSC may reduce or abate this fee (and any appeal fees), if no violation occurred, or for other good cause shown.
Permit renewal fee		50% of the original permit fee



# The City of West University Place

*A Neighborhood City*

## **CITY COUNCIL**

Susan Sample, Mayor  
Mardi Turner, Mayor Pro Tem  
Bob Higley, Councilmember  
Kellye Burke, Councilmember  
Kevin Boyle, Councilmember

## **STAFF**

David J. Beach, City Manager  
Alan Petrov, City Attorney  
Thelma Gilliam, City Secretary

## **CITY COUNCIL ACTION MINUTES**

The City Council of the City of West University Place, Texas, met in regular session on **Monday, May 20, 2019**, in the Municipal Building, 3800 University, West University Place.

**Call to Order.** Mayor Sample called the meeting to order at approximately 6:30 p.m. in the Council Conference Room. Council and Staff in attendance were: Mayor Pro Tem Turner, Councilmembers Boyle, Burke, and Higley, City Manager Beach, City Secretary Gilliam, City Attorney Petrov, Fiscal Financial Officer Steubing, Parks and Recreation Director White, Police Chief Walker, IT Director McFarland, and City Planner Scarcella.

Also present were John Robuck of BOK Financial Securities and Alan Black, Director of Operation for the Harris County Flood Control District.

Boy Scouts Pack 266, Den 1, led the Pledge of Allegiance.

City Secretary Gilliam confirmed that the Notice of the meeting was posted as required by law.

### **1. Approval of Bond Sale**

Matters related to approving the bond sale. *Recommended Action: Discuss and take any desired action. Ms. Marie Kalka, Finance Director (Fiscal Services Officer Darla Steubing presented)*

Councilmember Higley moved that Council approve the ordinance authorizing the issuance of Certificates of Obligations, Series 2019, for the City of West University Place. Councilmember Boyle seconded the motion. **MOTION PASSED.**

**Ayes:** Sample, Turner, Boyle, Burke, Higley  
**Noes:** None  
**Absent:** None

### **2. Harris County Flood Control District**

Matters related to a presentation from the Harris County Flood Control District regarding the Poor Farm Ditch project. *Recommended Action: Discuss and take any desired action. Mr. Dave Beach, City Manager*

Alan Black, Director of Operations for the Harris County Flood Control District, made a presentation to Council and received questions and comments. No action taken.

### **3. Public Comments**

This is an opportunity for citizens to speak to Council relating to agenda and non-agenda items.

Susan Bickley, 6401 Virginia Court, spoke against the Harris County Flood Control District (HCFCD) Poor Farm Ditch project as proposed.

Bob Scott, 5401 Virginia Court, spoke against the HCFCD Poor Farm Ditch project as proposed.

Paul Asofsky, 6417 Virginia Court, spoke against the HCFCD Poor Farm Ditch project as proposed.

Christian McMurray, 6413 Virginia Court, spoke against the HCFCD Poor Farm Ditch project as proposed.

Kathryn McMurray, 6413 Virginia Court, spoke against the HCFCD Poor Farm Ditch project as proposed.

Lynn Rosas, 6433 Virginia Court, spoke against the HCFCD Poor Farm Ditch project as proposed.

Alex Rosas, 6433 Virginia Court, spoke against the HCFCD Poor Farm Ditch project as proposed.

Lisa Tate, 4240 Emory, spoke against the Virtual Gate project.

Rachel Hoepner, 6409 Virginia Court, spoke against the HCFCD Poor Farm Ditch project as proposed.

**4. 2018 Budget Amendment**

Matters related to an ordinance amending the 2018 Budget. *Recommended Action: Approve ordinance amending the 2018 Budget on the first and final reading.* **Ms. Marie Kalka, Finance Director (Fiscal Services Officer Darla Steubing presented)**

Councilmember Higley moved that City Council adopt the ordinance approving and adopting amendments to the 2018 Budget on the first and final reading. Mayor Pro Tem Turner seconded the motion. **MOTION PASSED.**

**Ayes:** Sample, Turner, Boyle, Burke, Higley  
**Noes:** None  
**Absent:** None

**5. Fence-Like Hedges**

Matters related to the final report from the Zoning and Planning Commission regarding fence-like hedges. *Recommended Action: Discuss and take any desired action.* **Ms. Debbie Scarcella, City Planner**

City Council received the final report. No action taken.

**6. Existing Elevated Structures in a Special Flood Hazard Area**

Matters related to the final report and first reading of an ordinance regarding maximum height of existing elevated structures in a special flood hazard area. *Recommendation: Approve ordinance on the first of two readings.* **Ms. Debbie Scarcella, City Planner**

Councilmember Higley moved that City Council accept the final report and approve the ordinance on the first of two readings. Mayor Pro Tem Turner seconded the motion. **MOTION PASSED.**

**Ayes:** Sample, Turner, Boyle, Burke, Higley  
**Noes:** None  
**Absent:** None

**7. Whitt Johnson Park Redevelopment**

Matters related to the redevelopment of Whitt Park. *Recommended Action: Discuss and take any desired action. Ms. Susan White, Parks and Recreation Director*

Councilmember Higley moved to approve the Friends of West U Parks Fund, Inc., expenditure in an amount not to exceed \$166,000; adopt an ordinance approving and adopting an amendment to the 2019 Budget; and authorize the City Manager to execute necessary agreements to complete the specified Whitt Johnson Park updates in an amount not to exceed \$166,000. Councilmember Boyle seconded the motion. **MOTION PASSED.**

**Ayes:** Sample, Turner, Boyle, Burke, Higley  
**Noes:** None  
**Absent:** None

**8. Direct Link Update**

Matters related to an update on Direct Link, the City's alarm monitoring system. *Recommended Action: Discuss and take any desired action. Mr. Ken Walker, Police Chief*

No action taken.

**9. Virtual Gate Contract**

Matters related to awarding a contract for Phase I of the Virtual Gate Project. *Recommend Action: Award contract to Minuteman Security Technologies in the amount of \$1,731,902.00 for services related to Phase I of the Virtual Gate project and authorize the City Manager to execute the contract. Mr. Ken Walker, Chief of Police and Mr. Gary McFarland, IT Director*

Councilmember Boyle moved that City Council award the contract for Phase I of the Virtual Gate Project to Minuteman Security Technologies in the amount of \$1,731,902.00 and authorize the City Manager to execute the contract. Mayor Pro Tem Turner seconded the motion. **MOTION PASSED.**

**Ayes:** Sample, Turner, Boyle, Burke, Higley  
**Noes:** None  
**Absent:** None

**10. Consent Agenda**

All Consent Agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member requests in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

**A. City Council Minutes**

Approve City Council Meeting Minutes of May 13, 2019 and May 20, 2019.

**B. Seniors Board Appointments**

Matters related to appointing Karen Kenny and Carol O'Neill to the Seniors Board. *Recommended Action: Appoint Karen Kenny and Carol O'Neill to the Seniors Board. Ms. Susan White, Parks and Recreation Director*

Councilmember Higley moved to approve the Consent Agenda as presented. Mayor Pro Tem Turner seconded the motion. **MOTION PASSED.**

**Ayes:** Sample, Turner, Boyle, Burke, Higley  
**Noes:** None  
**Absent:** None

**11. City Manager Evaluation – Closed Executive Session**

Notice is hereby given that the City Council will convene into Executive Session in accordance with the provision of Chapter 551 of the Texas Government Code.

At approximately 8:46 p.m., Councilmember Boyle moved to recess the regular meeting and convene into regular session. Councilmember Burke seconded the motion. **MOTION PASSED.**

**Ayes:** Sample, Turner, Boyle, Burke, Higley  
**Noes:** None  
**Absent:** None

City Council convened into Executive Session in accordance with section 551.074 of the Texas Government Code: Deliberation concerning the evaluation of the City Manager.

**12. Reconvene Regular Meeting and Take Any Desired Action**

Matters related to action, if any, as a result of the City Manager's evaluation.

At approximately 8:58 p.m., Mayor Sample closed the Executive Session and reconvened the regular meeting.

Councilmember Higley moved to approve an increase in the City Manager's base salary to \$175,000 annually. Councilmember Turner seconded the motion. **MOTION PASSED.**

**Ayes:** Sample, Turner, Boyle, Burke, Higley  
**Noes:** None  
**Absent:** None

**13. Adjourn**

With no other business before the Council, Councilmember Higley moved to adjourn the meeting at approximately 9:00 p.m. Councilmember Burke seconded the motion. **MOTION PASSED.**

**Ayes:** Sample, Turner, Boyle, Burke, Higley  
**Noes:** None  
**Absent:** None

Prepared by: Thelma A. Gilliam, TRMC, City Secretary

Council Approved: \_\_\_\_\_



# The City of West University Place

*A Neighborhood City*

## **CITY COUNCIL**

Susan Sample, Mayor  
Mardi Turner, Mayor Pro Tem  
Bob Higley, Councilmember  
Kellye Burke, Councilmember  
Kevin Boyle, Councilmember

## **STAFF**

David J. Beach, City Manager  
Alan Petrov, City Attorney  
Thelma Gilliam, City Secretary

## **CITY COUNCIL ACTION MINUTES**

The City Council of the City of West University Place, Texas, met in special session on **Thursday, May 30, 2019**, in the Municipal Building, 3800 University, West University Place.

**Call to Order.** Mayor Sample called the meeting to order at approximately 6:04 p.m. in the Council Chambers. Council and Staff in attendance were: Mayor Pro Tem Turner, Councilmembers Boyle, Burke, and Higley, City Manager Beach, City Secretary Gilliam, and City Attorney Petrov were present.

City Secretary Gilliam confirmed that the Notice of the meeting was posted as required by law.

### **1. Comments from Outgoing Councilmembers**

Matters related to comments and farewells from outgoing councilmembers.

Outgoing Mayor and Council gave farewell speeches.

### **2. Certificates of Election**

Mayor Sample will present the Certificates of Election to the newly elected mayor and council.

Mayor Sample presented the newly elected Mayor and Council with their Certificates of Election.

### **3. Swearing-in Ceremony for Mayor and City Councilmembers**

Matters related to the administration of the Oaths of Office to the newly elected mayor and council. The ceremony will be performed by the **Honorable Laura C. Higley**.

The Honorably Laura C. Higley administered the Statements of Appointed Officer and Oaths of Office to the newly elected Mayor and Council.

### **4. Comments from Mayor and Council**

The new Mayor and City Councilmembers asked their comments be reserved for their first City Council meeting on June 10, 2019.

### **5. Presentation of Gifts**

Mayor Sample presented the outgoing Council with a parting gift for each of them and Mayor-Elect Higley presented Mayor Sample with a parting gift.

### **6. Adjourn**

With no other business before the Council, Councilmember Higley moved to adjourn the meeting at approximately 6:20 p.m. Councilmember Burke seconded the motion. **MOTION PASSED.**

**Ayes:** Sample, Turner, Boyle, Burke, Higley  
**Noes:** None  
**Absent:** None

Prepared by: Thelma A. Gilliam, TRMC, City Secretary

Council Approved: \_\_\_\_\_

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# The City of West University Place

*A Neighborhood City*

## **CITY COUNCIL**

Bob Higley, Mayor  
John P. Barnes, Councilmember  
Lauri Lankford, Councilmember  
Ed Sobash, Councilmember  
Kevin Trautner, Councilmember

## **STAFF**

David J. Beach, City Manager  
Alan Petrov, City Attorney  
Thelma Gilliam, City Secretary

## **CITY COUNCIL ACTION MINUTES**

The City Council of the City of West University Place, Texas, met in a workshop session on **Saturday, June 1, 2019**, in the Municipal Building, 3800 University, West University Place.

**Call to Order.** Mayor Higley called the meeting to order at approximately 8:15 a.m. in the Municipal Building Bill Watson Conference Room. Council and Staff in attendance were: Councilmembers Barnes, Lankford, Sobash, and Trautner, and City Manager Beach.

Consultant Lyle Sumek was also in attendance.

### **1. City Council Strategic Visioning Workshop**

Matters related to the first of three workshops on strategic visioning for the newly elected City officials.

Lyle Sumek led part one of three workshops on strategic visioning for the newly elected City officials.

### **2. Adjourn**

With no other business before the Council, Mayor Higley moved to adjourn the meeting at approximately 4:45 p.m. Councilmember Burke seconded the motion. **MOTION PASSED.**

Prepared by: Thelma A. Gilliam, TRMC, City Secretary

Council Approved: \_\_\_\_\_





# The City of West University Place

*A Neighborhood City*

## **CITY COUNCIL**

Bob Higley, Mayor  
John P. Barnes, Councilmember  
Lauri Lankford, Councilmember  
Ed Sobash, Councilmember  
Kevin Trautner, Councilmember

## **STAFF**

David J. Beach, City Manager  
Alan Petrov, City Attorney  
Thelma Gilliam, City Secretary

## **CITY COUNCIL ACTION MINUTES**

The City Council of the City of West University Place, Texas, met in a workshop session on **Sunday, June 2, 2019**, in the Municipal Building, 3800 University, West University Place.

**Call to Order.** Mayor Higley called the meeting to order at approximately 2:05 p.m. in the Municipal Building Bill Watson Conference Room. Council and Staff in attendance were: Councilmembers Barnes, Lankford, Sobash, and Trautner, and City Manager Beach.

Consultant Lyle Sumek was also in attendance.

### **1. City Council Strategic Visioning Workshop**

Matters related to the second of three workshops on strategic visioning for the newly elected City officials.

Lyle Sumek led part two of three workshops on strategic visioning for the newly elected City officials.

### **2. Adjourn**

With no other business before the Council, Mayor Higley moved to adjourn the meeting at approximately 5:30 p.m. Councilmember Burke seconded the motion. **MOTION PASSED.**

Prepared by: Thelma A. Gilliam, TRMC, City Secretary

Council Approved: \_\_\_\_\_



# The City of West University Place

*A Neighborhood City*

## **CITY COUNCIL**

Bob Higley, Mayor  
John P. Barnes, Councilmember  
Lauri Lankford, Councilmember  
Ed Sobash, Councilmember  
Kevin Trautner, Councilmember

## **STAFF**

David J. Beach, City Manager  
Alan Petrov, City Attorney  
Thelma Gilliam, City Secretary

## **CITY COUNCIL ACTION MINUTES**

The City Council of the City of West University Place, Texas, met in a workshop session on **Monday, June 3, 2019**, in the Municipal Building, 3800 University, West University Place.

**Call to Order.** Mayor Higley called the meeting to order at approximately 6:02 p.m. in the Municipal Building Bill Watson Conference Room. Council and Staff in attendance were: Councilmembers Barnes, Lankford, Sobash, and Trautner, City Manager Beach, City Secretary Gilliam, Finance Director Kalka, Police Chief Walker, Parks and Recreation Director White, IT Director McFarland, Fire Chief Taylor, Interim Public Works Director Barrera, Human Resource Director Urban and former Interim Public Works Director/ Consultant Diane White.

Consultant Lyle Sumek was also in attendance.

### **1. City Council Strategic Visioning Workshop**

Matters related to the third of three workshops on strategic visioning for the newly elected City officials.

Lyle Sumek led the third and final workshop on strategic visioning for the newly elected City officials.

The following 2019-2020 Policy and Management Agendas resulted from the workshops:

#### **Policy Agenda – Top Priority**

Poor Farm Ditch  
Zoning and Enforcement: Review and Refinement  
Employee Healthcare  
City Legislative Advocacy and Lobbying Program  
Rain Gardens  
Community Improvement Plan

#### **Policy Agenda – High Priority**

Crime Analysis and Safe Community Action Plan  
Virtual Gate  
Public-Private Partnership Opportunities  
Budget Services Review, Service Priority and Service Metrics  
Senior Services Needs Assessment Plan  
Park Land/Open Space Land Acquisition

**Management Agenda – Top Priority**

Direct Link System Enhancements  
Buffalo Speedway Road Replacement and Drainage Project  
Drainage Improvement Study  
Westside Acquisition Easements for Drainage  
City Engineer Contract  
City Website

**Management Agenda – High Priority**

Hazard Mitigation Action Plan  
Wastewater Treatment Plant Flood Protection  
City Strategic Plan  
New Revenue Sources  
IT Upgrades  
Noise Ordinances

**2. Adjourn**

With no other business before the Council, Councilmember Ed Sobash moved to adjourn the meeting at approximately 8:22 p.m. Councilmember Barnes seconded the motion. **MOTION PASSED.**

Prepared by: Thelma A. Gilliam, TRMC, City Secretary

Council Approved: \_\_\_\_\_

**AGENDA MEMO**  
**BUSINESS OF THE CITY COUNCIL**  
**CITY OF WEST UNIVERSITY PLACE, TEXAS**

<b>AGENDA OF:</b>	June 10, 2019	<b>AGENDA ITEM:</b>	12B
<b>DATE SUBMITTED:</b>	June 3, 2019	<b>DEPARTMENT:</b>	Public Works
<b>PREPARED BY:</b>	D. Scarcella City Planner	<b>PRESENTER:</b>	R. Wilson, ZPC Chair D. Scarcella, City Planner
<b>SUBJECT:</b>	Ordinance Regarding Existing Elevated Structures in a Special Flood Hazard Area		
<b>ATTACHMENTS:</b>	Ordinance with Final Report		
<b>EXPENDITURE REQUIRED:</b>	N/A		
<b>AMOUNT BUDGETED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		

**EXECUTIVE SUMMARY**

The Zoning and Planning Commission (ZPC) has been considering this issue since the Summer of 2018 and held the Joint Public Hearing with the City Council on April 22, 2019. The public hearing was to solicit public input regarding the proposed changes to the City Ordinance to allow existing structures which have suffered repetitive flood losses the ability to elevate their homes and exceed the maximum roof height of 35'.

The ZPC held follow up meetings to discuss the information provided during the Joint Public Hearing and approve their Final Report recommending that repetitive flood loss property owners have the ability to exceed their existing structure height by the same distance that the structure is being elevated to. For example, if an existing structure is at 34.5 feet and the house is raised two feet, the maximum height would be 36.5 feet.

A change is recommended to the last sentence of Note 14 of the proposal in order to clarify that the amount the structure is raised is added to the existing structure height to determine the overall maximum height of the structure and to clarify that the height of structures located in the rear 20' of the building site will have a maximum elevation of 27'.

City Council approved the first reading of the ordinance on May 20<sup>th</sup>. The City Attorney has approved to legal form.

**RECOMMENDATION**

The Zoning and Planning Commission and staff recommend that City Council approve the proposed ordinance amendment on the second and final reading.

**City of West University Place  
Harris County, Texas**

Ordinance No. \_\_\_\_\_

**AN ORDINANCE AMENDING THE ZONING ORDINANCE AND  
CODE OF ORDINANCES OF THE CITY OF WEST UNIVERSITY  
PLACE, TEXAS REGARDING THE MAXIMUM HEIGHT OF  
EXISTING STRUCTURES THAT MUST BE ELEVATED TO  
COMPLY WITH FLOODPLAIN REGULATIONS AND CONTAINING  
FINDINGS AND OTHER PROVISIONS RELATING TO THE  
SUBJECT.**

WHEREAS, the City Council and the Zoning and Planning Commission (“Z&PC”) of the City of West University Place, Texas (“City”) have held a joint public hearing on a proposal to amend the Zoning Ordinance of the City, as last re-formatted and re-adopted by Ordinance No. 1672, adopted March 12, 2001, and as subsequently amended (“Zoning Ordinance”);

WHEREAS, the Z&PC has made a final report to the City Council with respect to such proposal, which report is attached as Exhibit A and made a part of this ordinance; and

WHEREAS, the City Council has considered the report of the Z&PC as well as the City’s Comprehensive Plan, and City Council formally approves and adopts the report of the Z&PC; and

WHEREAS, all notices, hearings and procedures relating to amending the Zoning Ordinance, as may be required by law, the City Charter or the Zoning Ordinance, have been duly given, held and followed, and the City Council has jurisdiction to amend the Zoning Ordinance as provided herein;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE  
CITY OF WEST UNIVERSITY PLACE:**

**Section 1.** The City Council officially finds, determines, declares and adopts all of the matters set out in the preamble of this ordinance, and the Zoning Ordinance is hereby amended as recommended by the Z&PC, according to the Z&PC’s final report in Exhibit A, which is attached and made a part of this ordinance for all purposes.

**Section 2.** All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict only.

**Section 3.** If any word, phrase, clause, sentence, paragraph, section or other part of this ordinance or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, neither the remainder of this ordinance, nor the application of such word, phrase, clause, sentence, paragraph, section or other part of this ordinance to any other persons or circumstances, shall be affected thereby.

**Section 4.** The City Council officially finds, determines and declares that a sufficient written notice of the date, hour, place and subject of each meeting at which this ordinance was discussed, considered or acted upon was given in the manner required by the Texas Open Meetings Act, as amended, and that each such meeting has been open to the public as required by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof. The City Council officially finds, determines and declares that sufficient notices of the joint public hearing were given, and the City Council ratifies, approves and confirms such notices, including the contents and the method in which they were given.

**Section 5.** This ordinance shall become effective on the tenth day following its publication, as provided in the City Charter.

**CONSIDERED, PASSED, AND APPROVED** on first reading on \_\_\_\_\_, 20\_\_.

**CONSIDERED, PASSED, AND APPROVED** on second reading, **AND SIGNED**, on \_\_\_\_\_, 20\_\_.

**Attest:** \_\_\_\_\_  
City Secretary

**Signed:** \_\_\_\_\_  
Mayor

Recommended:

\_\_\_\_\_  
City Manager

Approved as to legal form:

\_\_\_\_\_  
City Attorney

*Exhibit A*

Zoning & Planning Commission  
City of West University Place, Texas  
3800 University Boulevard  
West University Place,  
Texas 77005

May 16, 2019

Honorable Mayor &  
Members of the City Council  
City of West University Place  
3808 University Boulevard  
Houston, Texas 77005

Subject: Final report on a proposal to amend the zoning ordinance of the City of West University Place, Texas ("City") relating to MAXIMUM HEIGHTS OF STRUCTURES ELEVATED TO COMPLY WITH FLOODPLAIN REGULATIONS.

To the Honorable Mayor  
& Members of City Council:

The Zoning & Planning Commission of the City submits this, its preliminary report, on the subject proposal, for the assistance of the Council as well as other interested persons.

Scope of Proposal. The proposal would give some flexibility for those existing residential structures which have been flooded and are located in the 100-year floodplain and are being elevated to comply with floodplain regulations. The overall maximum height of the structure could exceed the existing height by the same measurement the foundation of the structure is elevated. The maximum height for any structure is limited to thirty-nine feet.

Public Hearing. A joint public hearing between members of the City Council and the Zoning and Planning Commission was held on April 22, 2019. There were no comments received in favor of or against the proposal. The Zoning and Planning Commission met immediately after the public hearing and recommended a clarification change to the last sentence of the proposal. The clarification reinforces the limit to the overall amount of the elevation allowed and clarifies that the maximum height in the rear yard is 27' for elevated structures.

Recommendation. Based on the review given this proposal so far, the Commission: (i) finds that the proposal, if adopted, would be in the public interest and consistent with the Comprehensive Plan, (ii) finds that the proposal reasonably addresses circumstances which have arisen since the last comprehensive revision of the zoning ordinance, (iii) makes its final recommendation favorable to the proposal, and (iv) recommends that City Council adopt the proposal.

The Vote. The vote on approval of this report was as follows: 7 voted "aye", 0 "noes".

Respectfully submitted,  
ZONING AND PLANNING  
COMMISSION OF THE CITY OF  
WEST UNIVERSITY PLACE,  
TEXAS

A handwritten signature in black ink that reads "Richard J. Wilson". The signature is written in a cursive style with a large, prominent initial "R".

Presiding Officer



**Attachment #1**

**Amend Section 7-4b, Buildings, as follows:**

<b>Table 7-4b: Buildings</b>		<i>General Rule:</i> Every structure must conform to the applicable regulations shown, by District, in this table. ("N/A" means the rule does not apply.) <i>Exceptions/Special Rules:</i> (1) See special rules noted in table. (2) See Article 9 regarding Planned Development Districts.								
Item	Regulation	SF-1	SF-2	SF-3	TH	GR-1	GR-2	C	TCC	
Dwelling units	Maximum number per building site	One, plus one accessory quarters (AQ)			17.5 per acre. See Note 9	Two	24 per acre.	See Uses table and Art. 9		N/A
Framed area, all buildings on a building site	Maximum area as a percentage of building site area	80%			100% See Note 4.			N/A		
Principal buildings <i>See Article 10 regarding garage space.</i>	Stories, maximum	Two and one-half.			Three.	See Note 6.		N/A	Two	
	Height, maximum	35 feet; 25 feet in rear yard. See Note 1 and Note 14.						35 ft. See Note 2.	35 ft. See Notes 12 and 13.	
	Minimum gross floor area	1,400 square feet, if used for residential purposes			1,200 sq. ft., each DU.	750 sq. ft., each DU		1,400 sq. ft.		
	Width, minimum	N/A			16 ft., each DU.	N/A But see QMDS Schedule.		N/A		

<b>Table 7-4b, cont.</b>		<i>General Rule:</i> Every structure must conform to the applicable regulations shown, by District, in this table. ("N/A" means the rule does not apply.) <i>Exceptions/Special Rules:</i> (1) See special rules noted in table. (2) See Article 9 regarding Planned Development Districts.							
Item	Regulation	PDD-SF1	PDD-SF2	PDD-TH1	PDD-TH2	PDD-TH4	PDD-TH5	PDD-TH7	PDD-C1
Dwelling units	Maximum number per building site	One, plus one AQ		17.5 per acre. <i>See Note 9.</i>					One plus one AQ
	Maximum area as a percentage of building site area	80%	100%. <i>See Note 4.</i>	100% for all dwelling types other than TH; 125% for TH. <i>See Note 4.</i>	100%. <i>See Note 4.</i>			N/A	
	Stories, maximum	2 and one-half	3					N/A	
Principal buildings	Height, maximum, in feet.	35, 25 in rear yard. <i>See Note 1 and 14.</i>		35. <i>See Notes 1, 7 and 14.</i>					35
	Minimum gross floor area, square feet	1,400 each DU	1,200 each DU					1,600 each DU	1,300

**Note 14. Height of Flood Loss Structures.** The roof height of existing flood loss structures that are being raised to meet floodplain regulations may exceed the existing roof height by an amount equal to the distance the structure is elevated. In no case may the maximum roof height exceed 39' and 27' in the rear yard setback.