

**MINUTES OF THE AIRPORT  
BOARD OF ADJUSTMENT MEETING**

Thursday, September 27, 2018  
Meeting held in  
City of Houston Council Chambers  
City Hall Annex, 900 Bagby  
6:00 p.m.

**CALL TO ORDER 6:15 PM**

**John Martinec, Board Chairman, called the meeting to order at 6:15 p.m. with a quorum present.**

John Martinec - Board Chairman.  
Lee Allen Krause  
Thomas Seymour  
Johnny Gant  
Ann Collum  
Scott Hill – Interim Board Secretary

**HOUSTON AIRPORT SYSTEM STAFF**

Bill Zrioka  
Rudolph Lopez

**ATTORNEY**

Kim Mickelson  
Robert Collins

**I. SECRETARY'S REPORT**

Presenter: Scott Hill, Interim Board Secretary. Introduction of the items that will be considered at the meeting included the approval of the minutes from the May 31, 2018 Board of Adjustment meeting and Hazard Area Ordinance Variance Request HAS 2018-HV23 and Airport Compatible Land Use Ordinance Variance Request HAS 2018-HV8.

**II. CONSIDERATION AND POSSIBLE ACTION ON MINUTES FROM MAY 31, 2018 AIRPORT BOARD OF ADJUSTMENT MEETINGS**

Board Action: Board members approved minutes from the May 31, 2018 meeting.

Motion: **Thomas Seymour** Second: **Johnny Gant** Vote: **Unanimous** Abstaining: **None**

**III. PRESENTATION AND PUBLIC HEARING ON VARIANCE REQUEST HAS 2018-HV23**

Presenter: Bill Zrioka, HAS Division Manager. Presentation of Variance Request HAS 2018-HV23 submitted by applicant Clear Lake City Water Authority and represented by Samuel Johnson to continue construction of a flood mitigation and recreational facility at 1303 Reseda Drive on the former Clear Lake Golf Club near Ellington Field. Board Chairman John Martinec opened the public hearing.

Mr. Zrioka stated that the continued construction of a flood mitigation and recreational facility at this location would be a possible violation of Section Sec. 9-709, 9-711 and 9-751 of the Airport Hazard Area Ordinance. Mr. Zrioka said HAS staff acknowledged that the flood-control facility is on a former golf course that does contain remnants of water bodies in certain locations that predate the inception of the Hazard Area Ordinance. Moreover, he said HAS staff drew a clear distinction of the design and function of a flood-mitigation facility compared to a detention basin meant to hold water temporarily. In addition, he said that HAS staff understood that the Federal Aviation Administration recommendation that a wildlife attractant be a distance of five statute miles distance under both the departure and approach surfaces was negated since the facility was under neither surface. He said that the flood-control facility is largely under the circling airspace surface, an ordinance-controlled surface that is unique to Ellington Field and not present at Intercontinental and Hobby airports. Finally, he said that HAS staff acknowledged that both aircraft bird strikes and flooding constitute safety risks and a choice had to be made to serve the greater public good. Therefore, Mr. Zrioka said HAS staff recommended that the variance be approved.

Board Chairman John Martinec called the applicant's representative to speak and present the applicant's case.

Applicant representative Samuel Johnson, an attorney for Coats Rose representing the Clear Lake City Water Authority, said the Clear Lake City Water Authority is a political subdivision of the State of Texas and is responsible for providing water, sewer and drainage services to the residents within its boundaries. He requested a variance from the Hazard Area Ordinance regulations in order for the applicant to continue construction of a flood mitigation and recreational facility at 1303 Reseda Drive on the former Clear Lake Golf Club near Ellington Field. Board Chairman John Martinec opened the hearing for public comment.

Hearing attendees offering comments in favor of the variance approval were as follows:

City of Houston District E Council Member David Martin  
Jessica Bates  
John Jacob  
Parvin Richardson  
Brian Schrock  
Diane Rohrer  
Nancy Johnson  
Harry Hulin  
Chris Hamilton  
Beverly DeMoss  
John Cobarrurias  
Jaxon Gluck  
Abishhek Mathur  
Gary Stenerson

Mary Carol Edwards  
Anna Armitage  
Paul Morris  
Amanda Daly  
John Branch  
Jerry Hamby

Hearing attendees offering comments opposed to the variance approval were as follows:

Melissa Daggett  
Leigh Baxter and reading letters from citizens not able to attend:  
Anita Cooper  
David Weiman  
Gary Norbraten  
Steve Baxter

Melissa Daggett asked the Board of Adjustment how much research was done with the Coast Guard, the Federal Aviation Administration, the CAF, NASA or Lone Star Museum on safety. She said that what was needed was to consult the experts in aviation.

Jim Gavlik stated that he was an airline pilot and the survivor of a multitude of bird strikes and said bird strikes are not the hazard that other people are presenting.

There were no other public speakers. Board Chairman John Martinec closed the public hearing.

Motion: **Ann Collum**      Second: **Lee Allen Krause**      Vote: **Unanimous**      Abstaining: **None**

#### **IV. CONSIDERATION AND POSSIBLE ACTION ON VARIANCE REQUEST NO. HAS 2018-HV23**

There was no further discussion by the board on this request. Board Chairman John Martinec asked for a motion on the variance request.

Board Action: Board members approved the variance request for HAS 2018-HV23.

Motion: **Johnny Gant**      Second: **Thomas Seymour**      Vote: **Unanimous**      Abstaining: **None**

#### **V. PRESENTATION AND PUBLIC HEARING ON VARIANCE REQUEST HAS 2018-LV8**

Presenter: Bill Zrioka, HAS Division Manager. Presentation of Variance Request HAS 2018-LV8 submitted by applicant Quasar Development Alameda-Genoa and represented by Hollie Kleitz. The applicant was proposing to construct a multifamily residential development on a parcel totaling approximately 14.4474 acres located within a block bounded by Minnesota Street on the west, Alameda-Genoa Road on the north and Rowlett Road on the east and in the Airport Compatible Land Use Ordinance-designated Tier One associated with Hobby Airport. Board Chairman John Martinec opened the public hearing.

Mr. Zrioka stated that the proposed construction of a multifamily residential development was prohibited in Tier One and would violate Section 9-503 of the Airport Compatible Land Use Ordinance. Mr. Zrioka said HAS staff acknowledged that Quasar Alameda-Genoa, Ltd. proposal was in an area designated as Tier One based on 65 DNL noise contours from the 2003 Hobby Master Plan. He said that HAS staff also acknowledged that the more recent 2014 Hobby Master Plan Update places the subject parcel out of the Tier One boundary and in Tier Two. Finally, he said HAS staff acknowledged that the 2014 Hobby Master Plan Update will become the official controlling document that will be the basis for amending the ordinance to affect the aforementioned adjustment and additional changes unrelated to this variance request. Therefore, Mr. Zrioka said HAS staff recommended that the variance be approved with conditions including incorporation of sound attenuation construction requirements and acceptance by the applicant of an avigation easement.

Board Chairman John Martinec called the applicant's representative to speak and present the applicant's case.

Applicant representative Hollie Kleitz, representing Quasar Development Alameda-Genoa, said the Hobby Airport tier maps system were created based on the 2003 Hobby Master Plan and do not currently reflect the current noise contours that are in the 2014 master plan. Ms. Kleitz said if the airport system were to adopt the current master plan zone and contours, the subject property would not be in Tier One and multifamily residential development would be allowed. Board Chairman John Martinec opened the hearing for public comment.

Board Member Ann Collum asked how many units the multifamily development would include. Ms. Kleitz responded 25 per acre on the fourteen-acre site.

Board Member Johnny Gant asked if the applicant was in agreement with the sound attenuation requirements. Ms. Kleitz replied affirmatively.

Board Member Ann Collum asked if the applicant had considered how a high-density multifamily development would affect the local school system. Ms. Kleitz said the applicant was still waiting on the fate of the variance request before moving forward with such studies and that the development was considered low-density.

Hearing attendee Arno Bommer stated that he did a noise study for the applicant and that aircraft engines were much quieter currently than when the ordinance tiers were first developed.

Board Member Ann Collum stated that private aircraft is louder than commercial aircraft at Hobby. Mr. Bommer agreed and said that these aircraft were included in the noise model on which the tiers were based.

There were no other public speakers. Board Chairman John Martinec closed the public hearing.

Motion: **Ann Collum**      Second: **Johnny Gant**      Vote: **Unanimous**      Abstaining: **None**

## **VI. CONSIDERATION AND POSSIBLE ACTION ON VARIANCE REQUEST NO. HAS 2018-LV8**

There was no further discussion by the board on this request. Board Chairman John Martinec asked for a motion on the variance request.

Board Action: Board members approved the variance request for HAS 2018-LV8.

Motion: **Thomas Seymour**    Second: **Lee Allen Krause**    Vote: **Unanimous**    Abstaining: **None**

## **VII. ADJOURN**

There being no further business before the Board, Board Chairman John Martinec adjourned the meeting at 7:43 p.m.

Motion: **Ann Collum**    Second: **Thomas Seymour**    Vote: **Unanimous**    Abstaining: **None**

## **MINUTES APPROVED ON**

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**John Martinec, Board Chair**

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**Scott Hill, Interim Board Secretary**