



# CITY OF HOUSTON

Planning & Development Department

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November 22, 2024

## NOTICE OF VARIANCE

**PROJECT NAME:** Northfield Estates  
**REFERENCE NUMBER:** 2024-2275



Dear Property Owner:

The Planning and Development Department has received a subdivision plat application with a special exception for a property located along South Gessner Road south of West Bellfort Avenue and north of Fondren Meadow Drive. You are receiving this letter because you are listed in the Harris County Appraisal District records as a neighboring owner for property that falls within the Chapter 42 required notification area adjacent to this variance request.

BGE, Inc. the applicant, has filed the request on behalf of the developer of the subject site. The applicant is requesting a special exception to exceed intersection spacing requirements by not extending Brookmead Haven Drive. Enclosed are copies of the variance request, site plan and the proposed subdivision plat submitted by the applicant.

The Planning and Development Department staff is currently reviewing this application and will present a recommendation to the Houston Planning Commission. The Commission is the non-legislative body authorized to review and render decisions on subdivision applications and requests. A sign with this information has also been posted on the project site. The Houston Planning Commission will hold a public meeting to consider this application.

### PLANNING COMMISSION MEETING INFORMATION:

Thursday, December 19th, beginning at 2:30 p.m.

City Hall Annex Building, 900 Bagby Street  
City Council Chamber, Public Level, Houston, Texas

Members of the public may make comments or express concerns about the proposed project by attending the meeting at City Council Chamber listed above. **Anyone attending the meeting must sign up on a designated form located at the entrance to the Council Chamber.**

You may submit written comments by sending an email to [speakercomments.pc@houstontx.gov](mailto:speakercomments.pc@houstontx.gov), at least 24 hours in advance of the meeting. ALL comments submitted by the deadline will be made part of the meeting record.

For additional information regarding this project, please call Gerald Grissom with BGE, Inc. at 281-558-8700. You may also contact the Planning and Development Department regarding this notice via email at [Geoff.butler@houstontx.gov](mailto:Geoff.butler@houstontx.gov) or call (832)393-6528. To view the complete Planning Commission meeting agenda, go to [www.houstonplanning.com](http://www.houstonplanning.com). Information on the reverse side of this page explains more about the terminology used in this letter.

THE PLAT MAY BE DEFERRED. THE NEW DATE FOR COMMISSION ACTION WILL BE INDICATED ON THE POSTED SIGN(S) THE MONDAY MORNING FOLLOWING THE PLANNING COMMISSION DEFERRAL.

Para más información acerca de este documento, favor de llamar al Departamento de Planificación y Desarrollo al 832-393-6659.

#### **TERMINOLOGY**

- **CHAPTER 42:** The City of Houston's, Code of Ordinances that describes the rules and regulations for subdividing property within the corporate limits and the extraterritorial jurisdiction.
- **EXTRATERRITORIAL JURISDICTION (ETJ):** Represents the area extending beyond Houston's corporate limits approximately five miles into the unincorporated areas of Harris, Fort Bend, Liberty, Montgomery, and Waller counties.
- **SITE PLAN:** A site plan is an architectural drawing that outlines the specific layout and design of a development project or property.
- **SUBDIVISION PLAT:** A graphical presentation of a particular surveyed tract of land laying out street rights-of-way, lots and reserves, building setback lines, and easements which must comply with the development requirements of the City of Houston's, Code of Ordinances, Chapter 42. These regulations, adopted by City Council, are intended to promote the safe, orderly and healthy development of the City and its extraterritorial jurisdiction. The approved map subsequently may be filed and recorded with the appropriate county clerk's office as the official map of record for this property.
- **SUBDIVISION REPLAT:** Is simply a subdivision plat that further subdivides an existing subdivision plat. Typically, a replat will make changes to the layout of lots, reserves, building setback lines and easements.
- **VARIANCE:** A deviation from strict compliance with the rules and regulations of Chapter 42. The applicant must document a reasonable hardship that staff can evaluate. This is a type of Special Request.
- **SPECIAL EXCEPTION:** A modification to certain standards of Chapter 42. The applicant must document existing special circumstances unique to the land that justify modification of the development standards. This is a type of Special Request.
- **RECONSIDERATION OF REQUIREMENT:** At the request of the property owner of a proposed subdivision, the commission may reconsider any requirement or condition of approval imposed on it.
- **DEED RESTRICTIONS:** Private covenants between property owners that are recorded with the appropriate county clerk's office that bind all or some property owners in a neighborhood or subdivision to follow a specific set of guidelines. Typically, deed restrictions are designed to limit activities, building layout and design, and / or land uses. A replat does not amend or remove any deed restrictions.

#### **PLANNING COMMISSION BODY, AUTHORITY AND OBLIGATION**

- The Houston Planning Commission is a non-legislative body authorized to govern the subdivision rules and regulations described in Chapter 42. The Commission consists of 26 members and meets per their adopted Commission meeting schedule available on Planning Department webpage.

#### **PLANNING DEPARTMENT STAFF, AUTHORITY AND OBLIGATION**

- Development Services Division reviews subdivision plats, replats and development plats for compliance with the rules and regulations described in Local Government Code 212.015, Chapter 42, Chapter 26, and Chapter 33 and prepares recommendations for Planning Commission consideration.



PLANNING &  
DEVELOPMENT  
DEPARTMENT

APPLICANT'S  
Special Exception Request Form

Application Number: 2024-2275

Plat Name: Northfield Estates

Applicant: BGE, Inc.

Date Submitted: 11/15/2024

**Applicant's request and reason for Variance/Special Exception/  
Reconsideration of Requirement**

(Sec. 42-48 and Sec. 42-82)

Specific requirement for which the special exception is being sought:

To not provide an east-west street and to exceed the maximum intersection spacing measurement for a distance of approximately 1,548 feet.

Chapter 42 Section: 128

**Chapter 42 Reference:**

Sec 42-128. Intersections of local streets. (a) Each class III plat and each general plan that shows local streets shall provide for internal circulation by meeting either of the following requirements: (1) Each local street shall intersect with a street that meets the requirements of subsection (b) at least every 1,400 feet. (2) One or more collector streets within the class III plat or general plan shall connect with another collector street or major thoroughfare at a minimum of two points.

**Statement of Facts**

(1) Special circumstances exist that are unique to the land or the proposed subdivision or development and that are not generally applicable to all other land, subdivision for development in the city or its extraterritorial jurisdiction that justify modification of the standards that would otherwise apply;

Northfield Estates is a ± 19-acre site within the City of Houston corporate limits located south of West Bellfort Avenue, north of West Airport Boulevard, east of South Gessner Drive, and west of Pembridge Drive. The property has remained vacant since it was originally platted within the J.J. Settegast Subdivision in 1911. Northfield Estates is currently proposed to include larger single-family lots, ranging from one-third acre to half-acre in size, and act as an extension of the currently established Fondren Southwest Northfield community and recent development directly adjacent to the east. An unrestricted reserve is proposed along the frontage of South Gessner Road, a major thoroughfare consisting of various established land uses such as commercial, institutional, and retail, and single-family. The site is surrounded by established development. Northfield Estates is proposed to be an expansion of the existing community of Fondren Southwest Northfield subdivision to the east. This established community consists of single-family homes, private schools, and private places of worship. Within which the community relies on walkable pathways and sidewalks for its residents. Directly north and adjacent to the property is Riceville Mt. Olive Baptist church, platted in 2000 with an approved variance request not to extend a required north-south street, Braes Park Drive, which takes direct access from South Gessner Road. Directly south of the property includes several tracts of established mixed uses that take access from McGee Lane. A portion of the original Fondren Southwest Northfield subdivision was replatted in 2022 and was designed to include two (2) east-west local street stubs, Ludington Drive and Brookmead Haven Drive. Northfield Estates proposes to terminate Brookmead Haven Drive, a 60-foot public street, by providing a cul-de-sac turnaround required by Chapter 42, code of ordinances, rather than to propose a public street system through the site. The subdivision proposes a 28-foot private street to provide access the single-family estate lots, which will be privately maintained by the owners of the subdivision through a homeowners' association. Ludington Drive remains as a possible future connection for redevelopment and ultimate connection to South Gessner Road. Currently, Ludington Drive provides connectivity through the existing development, which directly connects to West Bellfort Avenue, the major thoroughfare north of the site, and Fondren Road, a major thoroughfare directly to the east. Due to the existing circumstances surrounding the proposed subdivision, the

proposed subdivision with a private street system will not hinder the existing connectivity of the street system to nearby major thoroughfares, therefore maintaining adequate circulation sufficient to support the intent of the community in its entirety and Chapter 42, code of ordinances.

**(2) The proposed special exception will achieve a result contemplated by the standard in article III of Chapter 42 (Planning Standards);**

The special exception will achieve a result contemplated by Chapter 42 by allowing for proposed local streets to function within the existing physical constraints that are within the allowable 33% deviation and will also maintain the appropriate level of circulation within the development.

**(3) The modification of the standard requested is not disproportionate to the requirement of the standard;**

The modification is a 9.5% deviation from the standard and is therefore not disproportionate to the requirements of this chapter.

**(4) The intent and general purposes of this chapter will be preserved and maintained;**

The overall circulation is upheld by the existing local street system with connectivity to nearby existing major thoroughfares in the surrounding area, and internal circulation is provided in the form of a proposed private street that directly connects to existing local public streets within the established residential community, thereby preserving and maintaining the intent and general purposes of this chapter.

**(5) The granting of the special exception will not be injurious to the public health, safety or welfare.**

The proposed private street with direct access to the existing public street system will enhance pedestrian safety and walkability by providing private sidewalks and pathways important to the established walkable community. The subject site will provide sufficient circulation and enhance pedestrian safety and will therefore not be injurious to the public health, safety, or welfare.

**SPECIAL EXCEPTION EXHIBIT**

**NORTHFIELD ESTATES**

+19.6 ACRES OF LAND  
HOUSTON, HARRIS COUNTY, TEXAS  
NOVEMBER 16, 2024  
BGE #10455



