



**CITY OF HEDWIG VILLAGE, TEXAS
SPECIAL CITY COUNCIL MEETING
DECEMBER 9, 2020
5:00 P.M. - 955 PINEY POINT ROAD**

MINUTES

In accordance with Governor Abbott's Executive Order or Proclamation dated March 13, 2020 and continued by Executive Orders or Proclamations dated April 12, 2020, May 12, 2020, June 11, 2020, July 10, 2020, August 8, 2020, September 7, 2020, October 7, 2020, November 6, 2020, and December 6, 2020 relating to the COVID-19 pandemic and the need to minimize face-to-face contact, the City of Hedwig Village held the December 9, 2020 Special meeting in person with several participants joining the meeting via Zoom, as noted below.

1. CALL TO ORDER

Mayor Muecke called the meeting to order at 5:06 p.m.

Present: Mayor Brian T. Muecke

Councilmember Dane Johnson
(left at 6:32 p.m., called in at 6:32 p.m.)
Councilmember Susan Mathews
Councilmember Shirley Rouse
Councilmember Matt Woodruff

Kelly Johnson, City Admin./Secr.-
Treas.
David Gott, Police Chief
Lisa Modisette, Asst. City Secretary
Kevin Taylor, Building Official
Evan DuVall, Asst. Building Official

Absent: Councilmember Harry J. Folloder

2. Discussion relating to Article V, Zoning Regulations, Section 506, Business District B, Subsection D, Parking, to allow for a reduction in required parking by providing bicycle parking and to require parking striping to use round-ended double striping; Article V, Zoning Requirements, Section 507, Signs, Subsection C, District B (Business Districts B1, B2, B3, B4) to decrease the amount of abutting road required for monument signs; and Article V, Zoning Requirements, Section 506, Business District B, Subsection A, Use of Property, and Article II, Definitions and Interpretation, Section 202, Definitions, to remove the limitation on amount of healthcare or medical office per building.

Mayor Muecke stated the three proposed amendments to the Planning and Zoning Code are discussion items only, there will be no action taken at this meeting. He stated the proposed changes include reducing the required number of vehicle parking spaces by allowing bicycle racks and requiring round-ended double striping for parking spaces, reducing the frontage road requirement to allow for a large or a small monument sign, and amending the percentage of allowable medical services space leased in an office building.

Kevin Taylor, Building Official, stated that over the past couple of years developers have expressed concern regarding several aspects of the City's Planning and Zoning Code, including the restrictive percentage of medical office/healthcare services. Developers would prefer flexibility in the types of tenants they could lease to with no cap on the allowable medical offices. He stated the Stream Development does not have any traffic issues, the parking is minimal, and there have not been any disturbances caused by any vendors, tenants, or guests to the building. His understanding of the purpose for the medical office limitation was to limit certain health services, such as dialysis centers, medical imaging centers, etc. He stated the simplest approach would be to create definitions for healthcare facilities and medical offices. The new definitions would allow developers to pursue a project within the City and would give the developers the flexibility to lease to a wider selection of tenants. He stated amending the limit of allowable medical space in a building would not affect the first floor retail requirement. The first floor retail requirement for Business Districts B1 and B3 is eighty-five percent, B2 is fifty percent, and B4 is seventy-five percent. The proposed change would only affect the medical office limitation for the remaining space on the first floor and the floors above in the office buildings in the various districts.

Mayor Muecke and Kevin Taylor clarified that the proposed amendment could result in no cap on medical office space for the remainder of the first floor space and any floor above in an office building but the thirty percent limitation for social services would remain.

Councilmember Mathews stated Planning and Zoning (P&Z) attempted to create a design guideline to promote commercial development. P&Z wanted to preserve the retail component of the City and limit the office buildings. The objective was to encourage tax generating businesses and limit non-tax generating businesses, such as medical services.

Councilmember Johnson stated he does not have a concern regarding medical office space. He understands the need for tax generating retail on the first floor of office buildings but a developer should have flexibility in leasing the upper floors. He would prefer a nice, newer building over an older building that is showing its age.

Councilmember Woodruff stated there are some retail spaces in the City that are no longer retail. Non-tax generating businesses have moved into those spaces. He stated retail space should remain as retail. He is not in favor of changing the limitation on the first floor of an office building and might be interested in changing the limitations for the other floors in an office building.

Councilmember Rouse requested a reasoning for the definitions for "Health Care Facility" and "Medical Office" in the proposed amendment. She stated there is no definition for "Social Assistance". She stated the definitions are not a comprehensive list of medical services. She questioned if the City would allow a service not included in the list or allow a service on the list but the City does not want. She stated that the definitions given for "Medical Office" and "Health Care Facility" include medical services that the City would want to limit. She stated City Council should be aware of what is covered by the

definitions. She clarified that the intent of the proposed amendment would be to allow medical offices but limit health care facilities and social assistance services.

Kevin Taylor stated the reason for the definitions, for City purposes, was to make a clear distinction between medical office and other types of health care. He stated he could create a definition for "Social Assistance". He agreed with Councilmember Rouse regarding the goal of the amendment. He stated the amendment could be revised to better reflect the opinions of City Council.

Councilmember Mathews discussed the benefits of living in Hedwig Village and encouraging development of the commercial districts. The benefits of living in Hedwig Village include the police and fire departments and the ability to stay within the City to shop at the grocery store, retail shops, pharmacy, restaurants, and the dry cleaners.

Councilmember Rouse stated Hedwig Village has a concentration of medical office buildings and services. She questioned the claim that medical office space is in demand given recent real estate market reports. There are plenty of partially vacant buildings in the area around Memorial Hermann Hospital. Councilmember Rouse stated she would prefer a restaurant over another vacant office building. She stated she is in favor of encouraging technology companies and other tenants rather than adding medical offices and services in Hedwig Village.

Councilmember Rouse stated that the benefits of developing the commercial districts include higher ad valorem taxes and the other benefit would be to provide services and amenities, such as retail and restaurants, to the residents. (35:09)

Councilmember Mathews stated the City could consider easing the limitations of medical offices or services but she questioned if the proposed amendment should apply to all business districts or just to certain districts.

Councilmember Johnson stated the City should encourage development of the commercial districts but developers do not want to build in Hedwig Village because the City is too restrictive.

Brett Moody, with Moody National Companies, stated that City Council should discuss what "look" they want the City to have and pursue a path to that end. He stated that his experience building in Hedwig Village had its moments of difficulty. He stated the current look of the commercial districts does not match the residential areas. Hedwig Village does not have the types of high-end retail and high-end restaurants the area should have. He stated office buildings encourage new residents to move into the area. He encouraged City Council to allow more height for office buildings along the frontage road. He encouraged City Council to consider multi-family use in the Business District. Hedwig Village could be an area the residents would enjoy walking, biking, living, and working within.

Councilmember Rouse was open to exploring the possibility of taller buildings in certain areas of the commercial districts, notwithstanding the fact that she is not generally supportive of height.

Councilmember Rouse was open to the possibility of limited multi-family development in certain areas of the City with restrictions.

Councilmember Mathews stated she would be willing to explore adding incremental residential locations.

P&Z Chairperson Murphy expressed interest in the possibility of new multi-family development and increased height in the commercial districts of the City.

Mayor Muecke objected, saying multi-family development would translate to an increase in residents, thus diluting the voting franchise of the single-family homeowners who invest heavily to live in Hedwig Village. An increase in residents could negatively impact the schools in the area. Mayor Muecke stated that tall, high density, multi-family development is not what his constituents want.

Councilmember Mathews and P&Z Chairperson Murphy discussed mixed use developments to allow residential and tax generating businesses in the same building.

Councilmember Rouse stated that the Planning and Zoning Code does allow single family homes south of Gaylord in Business District B2.

Councilmember Woodruff stated the previous fire chief stated a building could only be so tall before the fire department would need more personnel and equipment to effectively respond to an emergency call.

Richard Barbles, with Clay Healthcare Development, stated he is proud of his part in the development of the Stream Development several years ago. He believes the look of the building is timeless. He stated the other developments in the area around Hedwig Village are due to an increase in building height. Developers will not develop in Hedwig Village due to the lack of ability to build higher. He is interested in building another medical office building and the medical space limitation will be difficult to overcome. He stated there is no difference between a medical office building and an office building. He does not feel a medical office building would adversely affect the City.

Councilmembers and Mr. Barbles discussed the types of medical offices in demand. Mr. Barbles stated the type of medical offices in demand are family practice and specialists, not ER clinics and the like. Councilmember Woodruff stated a company must be licensed to pick up medical waste. He doubted Texas Pride, the City's franchised trash vendor, is properly licensed to handle medical waste.

Councilmember Mathews stated there should be no reason to change the medical limitations in Business District B1 or B2. The retail centers are all one-story buildings in B1. If the medical space limitation for the first floor were to change or a multi-story building

were built in B1, any of the retail space could become medical space. B2 should be developed as single-family residential. Amending the Code in B2 could potentially alter that plan.

Mayor Muecke stated the height restriction in B1 is thirty-five feet.

Brett Moody stated his vision of Hedwig Village includes more walkability within the City. He encouraged the City Council to consider underground parking to increase the possibility of green space and walking and biking trails.

Councilmember Woodruff stated he is not convinced about the bike rack replacing vehicle parking spaces. He stated the parking at some buildings within the City is already limited. He also stated he is not convinced the round-ended parking stripes would assist in better vehicle parking.

Evan DuVall stated the proposed amendment to the parking ordinance would allow a developer to reduce the number of required vehicle parking space by adding bike racks. The bike racks could reduce the number of vehicle parking spaces by up to twenty-four spaces or a maximum of ten percent of the total parking spaces.

Evan DuVall stated the proposed amendments to the sign ordinance would reduce the required amount of frontage road for a large monument sign from four hundred feet to two hundred seventy-five feet and the reduction for a small monument sign would be from three hundred feet to two hundred feet. These amendments would affect approximately four properties in the commercial districts and would only be effective along the I-10 frontage road.

Councilmember Rouse summarized the discussion and suggestions regarding amending the medical space limitation:

- Recommend clarifying the proposed definitions of “Medical Office” and “Health Care Facility” and add a definition for “Social Assistance”.
- Ensure the definitions do not allow types of medical services the City does not want.
- Recommend no changes to the limitation in Business Districts B1 and B2.

Mayor Muecke expressed concern regarding the proposed definitions being too descriptive and inclusive.

Kevin Taylor stated the required percentage of retail in the commercial districts is not practical for all properties due to smaller lot size and shape. He stated the City could consider amending the required retail percentage for some properties in the City. Six properties would be affected by this possible exception.

Mayor Muecke and Councilmembers expressed interest in following up on this topic.

3. ADJOURN

