



CITY OF HOUSTON

Planning & Development Department

John Whitmire

Mayor

Vonn Tran

Director

P.O. Box 1562

Houston, Texas 77251-1562

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www.houstontx.gov

Special Request Notice

VAR/SE

September 23, 2026

NOTICE OF VARIANCE

REFERENCE NUMBER : 2026-1449

PLAT NAME: Benders Creek GP

The Planning and Development Department has received a subdivision plat application with a variance request for the property located at east of MLK Blvd, south of Vasser St, and north of Sims Bayou. Pursuant to the City of Houston's Code of Ordinances, Chapter 42, the Department has mailed written notice of this application with special request to all property owners within 300ft of the boundary of the proposed plat per the most recent property tax records.

The applicant is requesting a variance to exceed intersection spacing of approximately 2,260 feet along the western boundary and to not extend or terminate Ricky Street and Peacock Street with a cul-de-sac, to allow minimum intersection spacing of 40 feet, and to allow direct vehicular access to narrow single-family residential lots from a public street. Enclosed are copies of the variance request, the proposed subdivision plat and any exhibits provided by the applicant.

The applicant, Kayla Leal, with LJA, Inc., on behalf of the developer, can be contacted at 713-953-5114 for additional information regarding this project. You may also contact the Planner, Maria Tobar, with the Planning and Development Department regarding this notice via email at Maria.Tobar@houstontx.gov or call (832) 393-6521.

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.

The Houston Planning Commission will hold a public meeting to consider this application. A sign with this information has also been posted on the site.

PLANNING COMMISSION MEETING INFORMATION:

Thursday, October 15, 2026, at 2:30 PM
City Hall Annex Building, 900 Bagby Street
City Council Chamber, Public Level, Houston, Texas

See reverse side for useful information.

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

Council Members: Amy Peck • Tarsha Jackson • Joe Panzarella • Carolyn Evans-Shabazz • Fred Flickinger • Tiffany D. Thomas • Mary Nan Huffman • Mario Castillo • Joaquin Martinez • Edward Pollard • Martha Castex-Tatum • Julian Ramirez • Willie Davis • Twila Carter • Alejandra Salinas • Sallie Alcorn Controller: Chris Hollins

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 comments by sending an email to 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.

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

To view the complete Planning Commission meeting agenda, go to www.houstonplanning.com. Information on this page explains more about the terminology used in this letter.

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.
- **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.
- **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.
- **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.
- **SITE PLAN:** A site plan is an architectural drawing that outlines the specific layout and design of a development project or property.

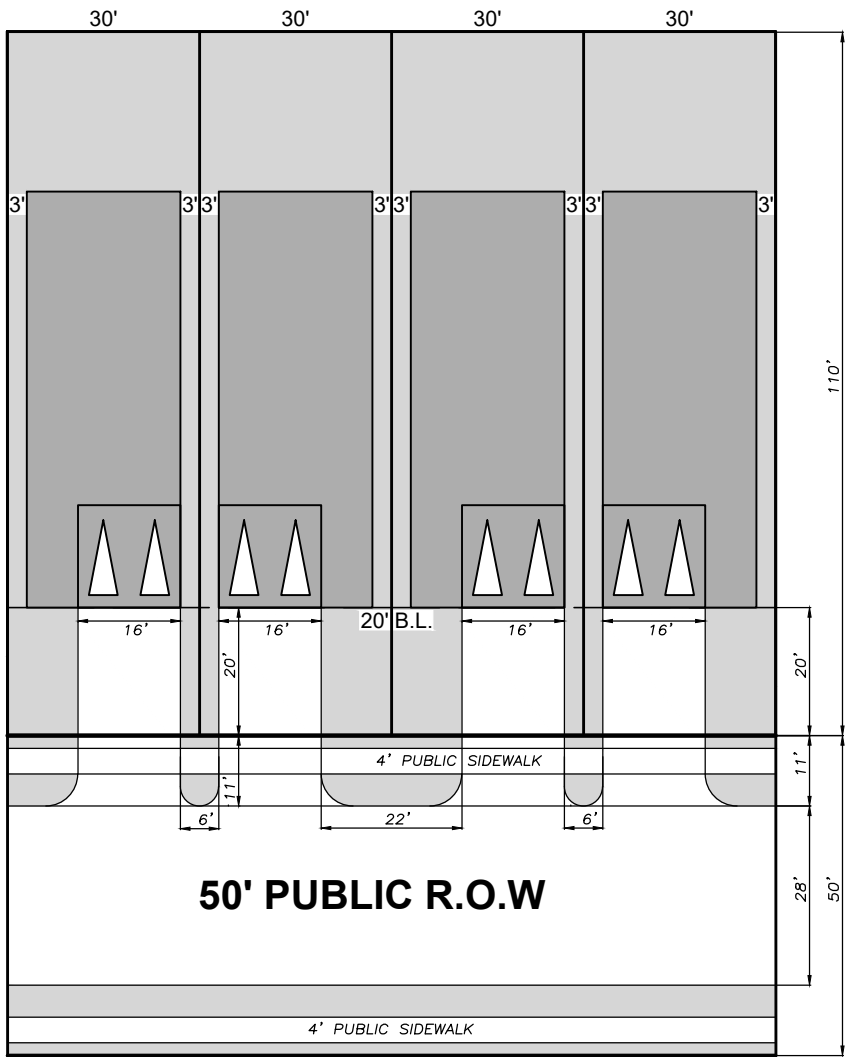
PLANNING COMMISSION BODY, AUTHORITY AND OBLIGATION

- 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.

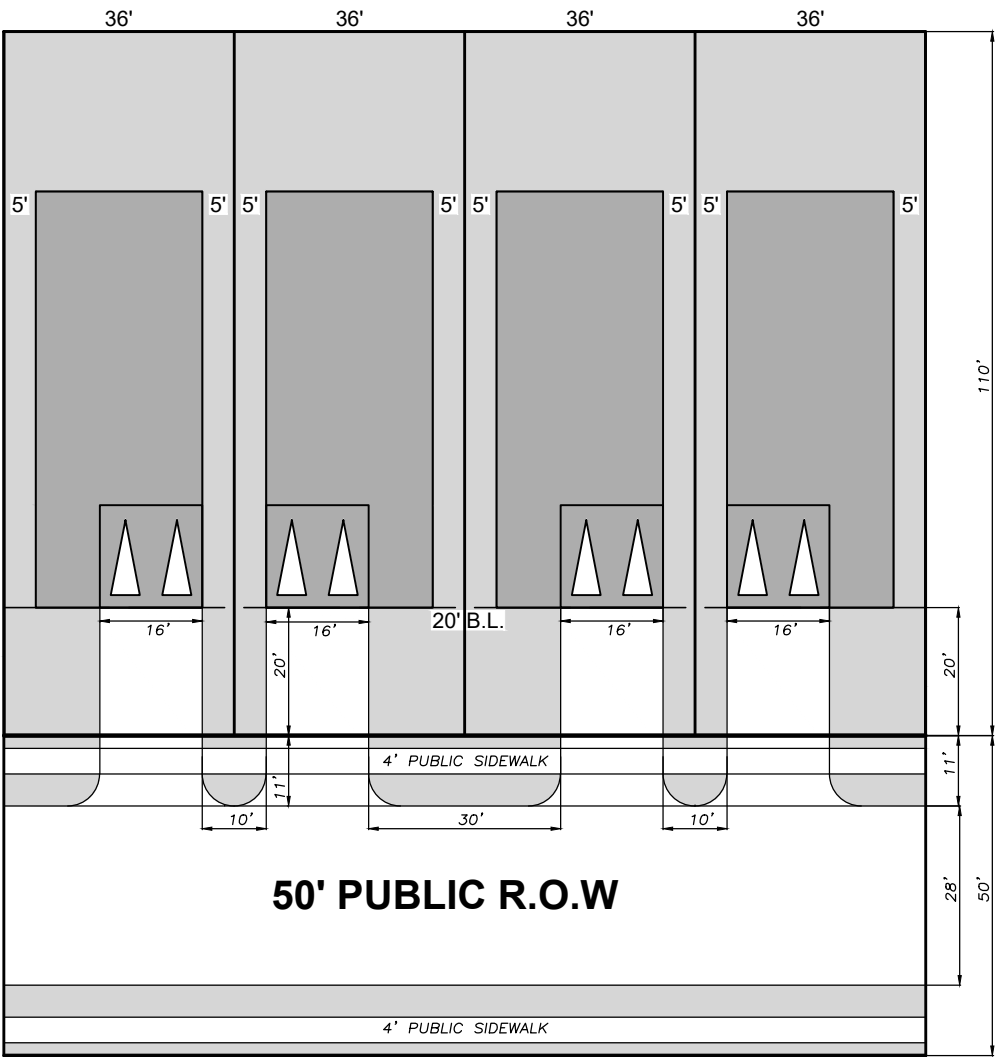
PLANNING DEPARTMENT STAFF, AUTHORITY AND OBLIGATION

- 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.

30' LOT TYPICAL



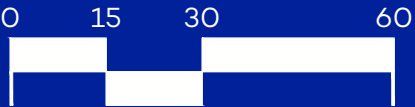
36' LOT TYPICAL



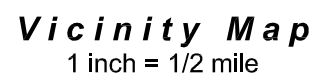
BENDERS CREEK - DRIVEWAY EXHIBIT

LOCATION: Houston, Texas CLIENT: Academy Development DATE: September 4, 2026

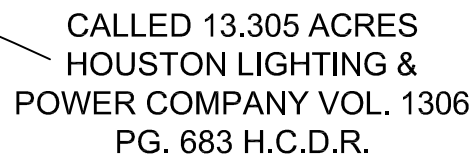
S:\Planning\01 Planning\2284-2504\04-Plot\Plat Info\2284-2504-Benders Creek_Driveway Exhibit_08-26-26.dwg/2026-08-26/DWITFIELD



© Copyright 2026 LJA Engineering, Inc. Drawings, written material, and design concepts provided is considered property of LJA & shall not be reproduced in part or whole in any form or format without written consent of LJA. This exhibit is an illustrative representation for presentation purposes only and should not be used for computation or construction purposes. The information provided within should be considered a graphic representation to aid in determining plan components and relationships and is subject to change without notice. All property boundaries, easements, road alignments, drainage, floodplains, environmental issues and other information shown is approximate and should not be relied upon for any purpose. No warranties, express or implied, concerning the actual design, accuracy, location, and character of the facilities shown on this exhibit are intended.



RES.	INDICATES RESERVE
U.E.	INDICATES UTILITY EASEMENT
O.P.R.H.C.	INDICATES OFFICIAL PUBLIC RECORDS OF HARRIS COUNTY
H.C.M.R.	INDICATES HARRIS COUNTY MAP RECORDS
H.C.D.R.	INDICATES HARRIS COUNTY DEED RECORDS
R.O.W.	INDICATES RIGHT-OF-WAY
DOC. NO.	INDICATES DOCUMENT NUMBER
L.S.	INDICATES LIFT STATION



BOUNDARY CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	CHORD BEARING	CHORD
C1	5730'	4°25'18"	442'	N 00°51'38" W	442'
C2	1357'	30°36'07"	725'	S 68°25'27" W	716'
C3	449'	45°28'49"	356'	S 75°51'40" W	347'
C4	549'	27°40'47"	279'	S 83°26'55" W	277'

BOUNDARY LINE TABLE			BOUNDARY LINE TABLE			BOUNDARY LINE TABLE		
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	N 86°55'49" E	2263'	L21	S 87°31'58" W	102'	L41	N 07°22'57" W	238'
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L3	N 01°21'01" E	205'	L23	S 86°59'34" W	66'	L43	N 82°40'35" E	390'
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BENDERS CREEK

CITY OF HOUSTON, HARRIS COUNTY, TEXAS

PLANNER:

NORTH



0 100 200 400



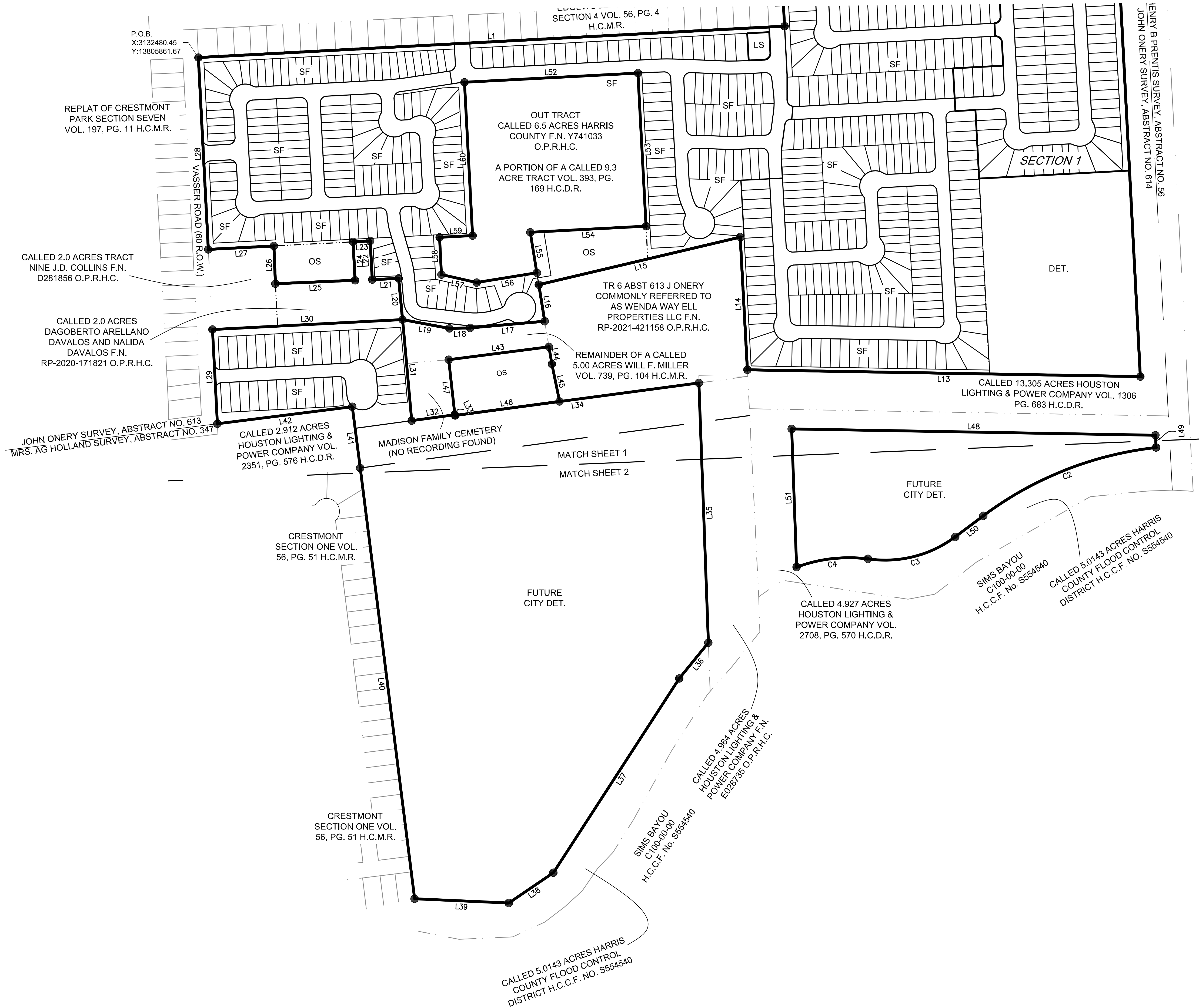
0 100 200 400



LJA# 1628-2501

09.18.2026

THIS PLANNING SUBDIVISION PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE CITY OF HOUSTON ORDINANCES GOVERNING LAND PLATTING IN EFFECT AT THE TIME THIS PLAN WAS PREPARED ALONG WITH ANY VARIANCE OR VARIANCES TO THE PROVISIONS OF THE AFORESAID ORDINANCE WHICH ARE SUBSEQUENTLY GRANTED BY THE HOUSTON PLANNING COMMISSION. THIS PLAN WAS PREPARED FOR THE USE OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, AND NEITHER JLA ENGINEERING, INC., NOR ANY OF ITS OFFICERS, OR DIRECTORS, OR EMPLOYEES MAKE ANY OTHER WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED CONCERNING THE DESIGN, LOCATION, QUALITY CHARACTER OF ACTUAL CONSTRUCTION, SAFETY OR SUITABILITY TO THE PURPOSES INTENDED, OR ANY UTILITIES OR OTHER FACILITIES IN, ON, OVER OR UNDER THE FORESAID PLANNING SUBDIVISION. AS SUCH, THE PLANS AND SPECIFICATIONS SHOWN ON THIS PLAN (POWER, GAS, TELEPHONE, CABLE TV) HAVE NOT BEEN DESIGNED OR DEVELOPED OR APPLIED TO ANY PROJECT. ANY SUCH PROJECTS MUST BE SHOWN ON SEPARATE PLANS ARE CONCEPTUAL AND BASED SOLELY ON THE LOCATION OF THE PROPOSED UTILITY EASEMENTS LOCATED IN THE LOTS.



BOUNDARY CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	CHORD BEARING	CHORD
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A GENERAL PLAN FOR BENDERS CREEK

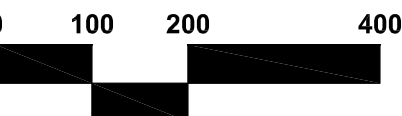
±190.5 ACRES
OUT OF THE
JOHN ONOREY SURVEY, ABSTRACT NO. 614
JOHN ONOREY SURVEY, ABSTRACT NO. 613
MRS. AG HOLLAND SURVEY, ABSTRACT NO. 347
CITY OF HOUSTON, HARRIS COUNTY, TEXAS

OWNER:
ACADEMY DEVELOPMENT

PLANNER:

3600 W Sam Houston Pkwy S, Suite 600
Houston, Texas 77042
713.953.5200

SHEET 2 OF 2



LJA# 1628-2501

09.18.2026

DISCLAIMER AND LIMITED WARRANTY

[illegible]



Application Number: 2026-1449
Plat Name: Benders Creek GP
Applicant: LJA, Inc.
Date Submitted: 9/4/2026

(Sec. 42-47 and Sec. 42-81)

Specific Variance is being sought and extent of variance:

To allow intersection spacing of:

1. Approximately 2,260' along the western project boundary between the southwestern project boundary and the street connection to Vasser Road;
2. Approximately 40' between Overdale Street and a proposed local street within the development.

Chapter 42 Section: Sec 42-128. Intersections of local streets

Chapter 42 Reference:

- (a) A local street shall intersect with a public local street, a collector street or another major thoroughfare at least every 1,400 feet.
- (c) Intersections along local streets shall be spaced a minimum of 75 feet apart.

Statement of Facts

(1a) The imposition of the terms, rules, conditions, policies and standards of this chapter would create an undue hardship by depriving the applicant of the reasonable use of the land; OR

Benders Creek is an approximately 190.5-acre tract of land located north of Sims Bayou within Houston city limits. The proposed development will contain single-family residential uses and detention. Due to the existing development constraints, including Sims Bayou, detention requirements, and locations of existing stub connections, variances from the City's intersection spacing requirements are being requested. The first intersection spacing variance is being requested along the western project boundary to allow approximately 2,260' between the southwestern project boundary and the next available street within the development. This variance is being requested due to the land being dedicated for future detention use for the City of Houston.

A second intersection spacing variance is being requested to allow 40' of spacing between intersections in order to connect to Overdale Street. With the proposed lot depth and the location of the existing stub street, it is causing two street intersections to have 40' of spacing. The 40' of spacing is measured from one right-of-way line to the next right-of-way line, along the centerline of the intersecting street. Each intersection will have a stop sign, so the variance will not cause any adverse effects to the public health, safety, or welfare.

Given these physical constraints, granting the requested variances would allow the reasonable use of the land and allow the subject property to be developed in a reasonable and practical manner. The proposed development will provide multiple points of access to existing stubs located in the adjacent subdivision, as well as

access to Reed Road, a major thoroughfare, thereby allowing adequate connectivity throughout the subject area.

(1b) Strict application would make this project infeasible due to the existence of unusual physical characteristics that affect the property in question, or would create an impractical development or one otherwise contrary to sound public policy;

(2) The circumstances supporting the granting of the variance are not the result of a hardship created or imposed by the applicant;

The circumstances supporting the granting of the variance are not the result of a hardship imposed by the applicant. The future city detention use and the existing stub connections were established prior to this development and not created or imposed by the applicant.

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

Benders Creek utilizes local streets to maintain connectivity throughout the development and provides multiple access points to existing street stub connections. The proposed streets within the development will connect to Reed Road, Overdale Street, Southbank Street, Vasser Road, and Crestmont Street. The granting of the variance requests upholds the area's overall circulation, thereby preserving and maintaining the intent and general purposes of this chapter.

(4) The granting of the variance will not be injurious to the public health, safety or welfare;

The granting of the variance does not impede adequate circulation within the development or surrounding developments and will therefore not be injurious to the public health, safety, or welfare. There will be sufficient connectivity and access throughout the site and to adjacent properties.

(5) Economic hardship is not the sole justification of the variance.

Economic hardship is not the sole justification for the variance. The existing conditions provide justification and are the supporting reasons for the variance requests.



Application Number: 2026-1449
Plat Name: Benders Creek GP
Applicant: LJA, Inc.
Date Submitted: 9/4/2026

(Sec. 42-47 and Sec. 42-81)

Specific Variance is being sought and extent of variance:

To allow direct vehicular access to narrow single-family residential lots from a public street.

Chapter 42 Section: Sec 42-188 (g) 2

Chapter 42 Reference:

2. When proposing one or more narrow lots on a public street, the following shall apply:

- a. Vehicular access must be provided through a flag-staff, a shared driveway or permanent access easement; or
- b. For property less than or equal to 15,000 square feet, direct vehicular access from a street may be allowed for lots 33 feet or wider but less than 44 feet wide, through a driveway of maximum 12 feet in width.

Statement of Facts

(1a) The imposition of the terms, rules, conditions, policies and standards of this chapter would create an undue hardship by depriving the applicant of the reasonable use of the land; OR

Benders Creek is an approximately 190.5-acre tract of land located north of Sims Bayou within Houston city limits. The proposed development will contain single-family residential uses and detention.

Sec 42-188 was adopted on September 26, 2023, Ordinance No. 2023-801. The development design for Benders Creek was completed prior to the adopted Chapter 42 amendment; therefore, it considers the previously adopted development standards and design. The proposed development contains a mixture of single-family residential lots, ranging from 30' to 40' in width. There is a total of 796 proposed lots within the development, and the average lot width will be 34'.

After the adoption of Sec 42-188, the Benders Creek General Plan and Preliminary Plats for Section 1 and Section 2 were submitted and approved by the Houston Planning Commission on September 19, 2024. The preliminary plats at that time contained the narrow lots, varying in widths from 30' to 32', with direct vehicular access from a public street. The plats were reviewed and approved without any objections or comments regarding direct vehicular access from a public street. Due to the previously approved layout shown in the General Plan and Preliminary Plats Section 1 and Section 2, variances from Sec. 42-188(g)(2) are being requested. This chapter does not currently provide flexibility for large infill developments that are greater than 15,000 square feet. The intent of the chapter appears to only consider small infill development. The development is proposing public streets that connect to

existing stubs within the adjacent subdivision, and there will be connectivity to Reed Road, which is a major thoroughfare.

The public streets within the development would provide front access to each individual lot via a 16' driveway. While the development is proposing 16' driveways, they will be configured closer together to increase the spacing between curb cuts. As shown in the attached driveway exhibit, this configuration will provide sufficient space between curb cuts to accommodate on-street parking.

Given the subdivision design constraints, granting the requested variance would allow the reasonable use of the land and allow the development in a reasonable and practical manner while avoiding impacts to existing infrastructure.

(1b) Strict application would make this project infeasible due to the existence of unusual physical characteristics that affect the property in question, or would create an impractical development or one otherwise contrary to sound public policy;

(2) The circumstances supporting the granting of the variance are not the result of a hardship created or imposed by the applicant;

The circumstances supporting the granting of the variance are not the result of a hardship imposed by the applicant. The layout design for the approved subdivisions followed the previously-adopted requirements. The existing circumstances were not created or imposed by the applicant and were approved after the adoption of the ordinance.

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

The applicant proposes to preserve the intent of the ordinance by providing 16' driveways configured closer together to increase the spacing between curb cuts. The granting of the variance request upholds the character of the neighborhood and surrounding areas, thereby preserving and maintaining the intent and general purposes of this chapter.

(4) The granting of the variance will not be injurious to the public health, safety or welfare;

The granting of the variance will allow the development to move forward as planned and will not impede on pedestrian safety or required parking within the development or surrounding area. The development will provide connectivity to the adjacent subdivisions and will also be dedicating acreage that will serve as detention for the surrounding area. Therefore, the granting of the variance will not be injurious to the public health, safety, or welfare.

(5) Economic hardship is not the sole justification of the variance.

Economic hardship is not the sole justification for the variance. The strict application of the ordinance, combined with the length of time this project has been in design and the City's prior approval of the General Plan and preliminary plats in 2024, supports the requested variance.



Application Number: 2026-1449
Plat Name: Benders Creek GP
Applicant: LJA, Inc.
Date Submitted: 9/4/2026

(Sec. 42-47 and Sec. 42-81)

Specific Variance is being sought and extent of variance:

To not extend or terminate Ricky Street and Peacock Street with a cul-de-sac.

Chapter 42 Section: 42-134

Chapter 42 Reference:

(a) A public street that terminates at the boundary of a plat previously approved by the commission without means of a vehicular turnaround shall be extended into the adjacent property at the time the adjacent property is platted.

Statement of Facts

(1a) The imposition of the terms, rules, conditions, policies and standards of this chapter would create an undue hardship by depriving the applicant of the reasonable use of the land; OR

Benders Creek is an approximately 190.5-acre tract of land located north of Sims Bayou within Houston city limits. The proposed development will contain single-family residential uses and detention. Due to the existing development constraints, including Sims Bayou, detention requirements, lack of stub connectivity, and CenterPoint and flood control easements, variances from the City's street extension requirements are being requested.

The street extension variance is being requested at the Ricky St. and Peacock St. stub streets. This variance is being requested because the stub streets cannot be extended eastward into the subject property, due to the property being planned for regional detention for the City of Houston.

Given these physical constraints, granting the requested variances would allow the reasonable use of the land and allow the subject property to be developed in a reasonable and practical manner. The proposed development will provide multiple points of access to existing stubs located in the adjacent subdivision, as well as access to Reed Road, a major thoroughfare, thereby allowing adequate connectivity throughout the subject area.

(1b) Strict application would make this project infeasible due to the existence of unusual physical characteristics that affect the property in question, or would create an impractical development or one otherwise contrary to sound public policy;

N/A

(2) The circumstances supporting the granting of the variance are not the result of a hardship created or imposed by the applicant;

The circumstances supporting the granting of the variance are not the result of a hardship imposed by the applicant. The future city detention use was established prior to this development and not created or imposed by the applicant.

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

Benders Creek utilizes local streets to maintain connectivity throughout the development and provides multiple access points to existing street stub connections. The proposed streets within the development will connect to Reed Road, Overdale Street, Southbank Street, Vasser Road, and Crestmont Street. The granting of the variance requests upholds the area's overall circulation, thereby preserving and maintaining the intent and general purposes of this chapter.

(4) The granting of the variance will not be injurious to the public health, safety or welfare;

The granting of the variance does not impede adequate circulation within the development or surrounding developments and will therefore not be injurious to the public health, safety, or welfare. There will be sufficient connectivity and access throughout the site and to adjacent properties.

(5) Economic hardship is not the sole justification of the variance.

Economic hardship is not the sole justification for the variance. The existing conditions provide justification and are the supporting reasons for the variance requests.