



# CITY OF BELLAIRE TEXAS

MAYOR AND COUNCIL

SEPTEMBER 8, 2014

Council Chamber

Public Hearing

6:00 PM

7008 S. RICE AVENUE  
BELLAIRE, TX 77401

## SPECIAL SESSION (PUBLIC HEARING) - 6:00 P.M.

### A. Call to Order and Announcement of a Quorum - Dr. Philip L. Nauert, Mayor.

Dr. Philip L. Nauert, Mayor, called the City Council of the City of Bellaire, Texas, to order at 6:04 p.m. on Monday, September 8, 2014. All members of City Council were present as set forth below.

Full Name	Title	Status	Arrived
Philip L. Nauert	Mayor	Present	
David B. Nathan	Mayor Pro Tem	Present	
John Reed	Councilman	Present	
Anthony Aviola Sr.	Councilman	Present	
James Appas	Councilman	Present	
Michael Laughlan	Councilman	Present	
David S. Friedberg	Councilman	Present	
Paul A. Hofmann	City Manager	Present	
Tracy L. Dutton	City Clerk	Present	
Donald	Director	Present	

### B. Reading of the Notice of Public Hearing - Tracy L. Dutton, City Clerk.

Tracy L. Dutton, City Clerk, read the "Notice of the Public Hearing" into the record. Following that reading, City Clerk Dutton advised that the "Notice of Public Hearing" was published in the legal notices section of the Southwest News and posted on the City's website and official bulletin board on Tuesday, August 19, 2014. City Clerk Dutton noted that 28 properties were located within 200 feet of the site of the planned development amendment. Thirty-five notices were mailed to property owners of record, as well as possible tenants.

### C. Summary of Public Hearing Procedures - Paul A. Hofmann, City Manager.

Paul A. Hofmann, City Manager, summarized the public hearing procedures for the evening.

### D. Presentation:

Application and request submitted by Lee Hampton for an amendment under Chapter 24, Planning and Zoning, Article VI, Amendatory Procedure, of the Code of Ordinances of the City of Bellaire, Texas, by amending a planned development located in the 100 block of White Drive, Bellaire, Texas, and more commonly known as "The Park at Bellaire" (PD-22 granted under Ord. No. 02-061 and amended by Ord. No. 12-020), to include an additional 0.19 acre site currently addressed as 129 White Drive, Bellaire Texas, in the Loop 610 Zoning District.

Lee Hampton, Resident of Bellaire and Applicant, provided an overview of his application and request for an amendment to the planned development known as "The Park at Bellaire" (PD-22). He noted that White Drive was the first street on the left-hand side as one was traveling inside Loop 610 on Bellaire Boulevard. The street was currently comprised of 27 homes. All but one of the homes was in conformance with the homes Mr. Hampton proposed to build.

The existing planned development, PD-22, was approved in 2002 and included all but 2-3 lots whose owners decided not to become part of the planned development at that time. Since that time, City Council approved the addition of 124 White Drive into PD-22 in July of 2012 (unanimous vote). Mr. Hampton noted that his proposal simply mimicked what was done on 124 White Drive. His application would take 129 White Drive and subdivide it into two lots for the construction of two single-family residences on those two subdivided lots.

Mr. Hampton continued and advised that the proposed residences were in conformance with the other homes located in PD-22 with respect to setbacks (20 feet from the street, three-foot side setbacks), size, lot coverage, height, etc. The environmental assessments and traffic analysis performed for "The Park at Bellaire" were still relevant according to Mr. Hampton. He did not feel that the addition of the two homes would impose any additional impact upon the street or community.

In closing, Mr. Hampton commented that the economic analysis did not support the construction of one single-family home at this time at that particular location. His choices with respect to the property were either subdividing the lot and building two single-family residences or making it a leasing property, which was not desirable for the existing home in Mr. Hampton's opinion.  
(Requested by John McDonald, Community Development)

**E. Recognition of Citizens and Other Interested Parties - Dr. Philip L. Nauert, Mayor.**

**Marybeth Flaherty:**

Ms. Flaherty addressed City Council and advised that she had watched White Drive develop over the 24 years that she had been a resident of Bellaire from a mixed set of abandoned, non-rentable houses to the development that existed today. She indicated that she was in favor of Mr. Hampton's request which would provide an additional two families to the neighborhood. She indicated that she had been very pleased with the addition of neighbors, which gave an extra sense of community to those residents that resided on the north side of Cedar Street.

**Eugene Ng:**

Mr. Ng addressed City Council and indicated that his home was located immediately adjacent to Mr. Hampton's property. He stated that he did not necessarily have an objection, but noted that the property between his home and Mr. Hampton's development would be reduced from six feet to three feet. Mr. Ng stated that he wanted to get a little more information about the actual plan for construction as it really affected his property very much.

**Lynn McBee:**

Ms. McBee addressed City Council and referenced the original planned development,

noting that it was the first of its kind for incredibly narrow lots proposed under unique regulations that attached to the Loop 610 lots. Since that time, the City had twice added new properties for the very narrow lots.

Based on a review of the minutes of the Planning and Zoning Commission on Mr. Hampton's application, Commissioner Lynne Skinner raised a question as to whether the proposal would decrease the distance between the two homes located at 129 White Drive and 131 White Drive by three feet. Director McDonald confirmed that the distance would be decreased by three feet. A question was then raised as to whether more space could be allotted between 129 and 131 White Drive.

Ms. McBee advised that she did not understand the justification for narrowing the distance between the homes to three feet. She asked why the side setback was being narrowed. She stated that it was too late to doing anything about the development and indicated that she objected to it in 2002.

**F. Questions from the Mayor and City Council - Dr. Philip L. Nauert, Mayor.**

Dr. Philip L. Nauert, Mayor, opened the floor to members of City Council for questions of Applicant Lee Hampton. Following questions of Mr. Hamilton, the public hearing was closed.

**G. Close of Public Hearing - Dr. Philip L. Nauert, Mayor.**

Dr. Philip L. Nauert, Mayor, closed the public hearing regarding an amendment to the planned development "The Park at Bellaire" to add two additional lots at 6:30 p.m. on Monday, September 8, 2014. He indicated that oral comments would not be received following the close of the public hearing. Written comments, however, could be provided to the City Council in care of the City Clerk prior to final deliberation on the matter. It was anticipated that final deliberation would occur on Monday, September 22, 2014. Written comments needed to be submitted to the City Clerk by noon on Thursday, September 18, 2014, in order to be considered for the public record.

**H. Adjournment.**

Dr. Philip L. Nauert, Mayor, announced that the Special Session (Public Hearing) of the City Council of the City of Bellaire, Texas, was adjourned at 6:30 p.m. on Monday, September 8, 2014.