



CITY OF BELLAIRE TEXAS

PLANNING AND ZONING COMMISSION

NOVEMBER 18, 2014

Council Chamber and Senior Activities Room Regular Session and Workshop

6:00 PM

7008 S. RICE AVENUE
BELLAIRE, TX 77401

A. REGULAR SESSION-COUNCIL CHAMBERS

I. CALL TO ORDER AND ANNOUNCEMENT OF QUORUM

Chairman Frazier called the meeting to order at 6:10 PM, and announced that a quorum was present, consisting of the following members:

Attendee Name	Title	Status	Arrived
Christopher Butler	Commissioner	Present	
Winfred Frazier	Chairman	Present	
Bill Thorogood	Vice Chairman	Absent	
Paul Simmons	Commissioner	Present	
Marc Steinberg	Commissioner	Absent	
Dirk Stiggins	Commissioner	Present	
S. Lynne Skinner	Commissioner	Present	
John McDonald	Director	Present	
Ashley Parcus	Secretary	Present	

II. APPROVAL OF MINUTES FROM PAST MEETINGS

1. Planning and Zoning Commission - Regular Session - Oct 14, 2014 6:00 PM

Commissioner Stiggins mentioned that the Roll Call stated that Wayne Alderman was present, and asked that it be corrected.

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	Dirk Stiggins, Commissioner
SECONDER:	Paul Simmons, Commissioner
AYES:	Butler, Frazier, Simmons, Stiggins, Skinner
ABSENT:	Thorogood, Steinberg

III. REMINDER TO CITIZENS DESIRING TO ADDRESS THE COMMISSION

Chairman Frazier reminded all citizens to fill out a sign in sheet if they wished to address the Commission.

IV. GENERAL PUBLIC COMMENTS

Persons at the meeting who have indicated their desire to be heard on matters of general interest to the Commission by submitting the form provided shall have three minutes to present their comments. The Commission is not permitted to fully discuss, debate, or consider items that are not on the agenda. Questions presented to the Commission may be referred to staff.

Lynn McBee-Ms. McBee mentioned that the City Council had its first public discussion with the architect about the type of Council Chambers that they would be comfortable with in the new City Hall. She added that the architect has had a similar conversation with the courts personnel, who will be sharing the new facility with City Council. Ms. McBee urged the Commission to contact staff regarding input on Board and Commission meeting needs, if there are any unique elements that are specific to those bodies. She added that the Ad Hoc Committee, which is being utilized for advisory information, meets variously and the meetings are open to anyone who wishes to attend.

V. CURRENT BUSINESS (ITEMS FOR DISCUSSION, CONSIDERATION, AND/OR POSSIBLE ACTION)

1. Docket # PD-2014-03-Request to construct a Residential Planned Development on a .95 acre site, consisting of 12 single-family residences, to be located north of Bissonnet, between Howard and Newcastle, in the CMU Zoning District.

Mr. McDonald mentioned that at the October meeting the Commission held a public hearing on a request from Sandcastle Homes for the creation of a new residential planned development, Bellaire Gardens, to create 12 lots, with 6 lots facing Newcastle Street and 6 to face Howard Ln. He stated that the parcel in question is within the CMU Zoning District, and that the 6 existing lots are roughly equal to the size of other residential lots in that area. Mr. McDonald added that the 12 lots would be subdivided and replatted with the proposed development, which would create a transition housing type from the single family, low density to the north, to a more medium density, and then to commercial on Bissonnet. He mentioned that while there was some discussion and concern voiced by existing residential neighbors regarding off street parking issues, these are not isolated problems that only come up with a narrow lot residence, but on many traditional, single family streets as well. Mr. McDonald informed the Commission that the development will meet the typical zoning requirement for all single family, residential development within Bellaire, which is to provide enough space for two cars per house. He also pointed out that it is important to remember that the original proposal when the CMU was being considered was for a minimum size requirement of 1 acre for a planned development. It was due to Mr. Salomon's public comment request to City Council that the requirement was lowered to 3/4 of an acre. Mr. McDonald recommended a favorable recommendation to City Council.

Motion: a motion was made by Commissioner Simmons and seconded by Commissioner Skinner to approve the Planned Development application.

Commissioner Simmons asked if "town home" would be the correct terminology to use for this development.

Mr. McDonald stated that town homes are single-family homes with narrower lots, which is consistent with this project.

Attorney Petrov agreed that "town home" would be the appropriate term.

Commissioner Butler stated that he will not be supporting the application, not because he doesn't like the project, but because he struggles with the concept of fitting single-family detached homes into the definition of the CMU Zoning District. He added that he likes the fact that it is a step down/buffer for that area, and is a great alternative use for that site, but would not be his first choice.

Chairman Frazier mentioned the issue with the water run-off, and asked Mr. McDonald if he had any more information regarding those concerns.

Mr. McDonald informed the Commission that two blocks of Howard will be restructured, including the road and drainage system, as part of Rebuild Bellaire Phase 5. Newcastle is not currently on the list, but the engineer didn't feel that this development would create such an increase in run-off to negatively impact the system.

Chairman Frazier mentioned the commercial development that will be going up next to this property and asked if that will have an increased impact on the current drainage situation.

Mr. McDonald stated that the commercial property will be required to have on-site detention to handle their water.

Chairman Frazier explained that he will be supporting this application for several reasons:

- The development creates alternative housing options for residents
- The project involves a high-end development that should not lower property values of the existing homeowners
- The application is consistent with the City of Bellaire's Comprehensive Plan

Commissioner Stiggins asked for clarification that Howard Lane would be restructured, and if Mr. McDonald knew what the time frame was on that project.

Mr. McDonald confirmed that Howard will be restructured, and stated that he doesn't have a definite timeline, but believed that it should start soon.

Commissioner Skinner asked if it was the updated survey that was provided to the Commission.

Mr. Salomon confirmed that it was the corrected survey to show that there is no gas line present on the property.

Commissioner Skinner wanted clarification that two cars will be able to fit in the garage, and two will be able to fit in the driveway.

Mr. Salomon confirmed this.

Mr. McDonald pointed out that residential development opportunities, especially for small lot and attached housing types to address housing needs of Bellaire residents in different stages of life are called out as a use within the CMU District.

Vote: 4-1.

(Requested by John McDonald, Community Development)

RESULT:	APPROVED [4 TO 1]
MOVER:	Paul Simmons, Commissioner
SECONDER:	S. Lynne Skinner, Commissioner
AYES:	Frazier, Simmons, Stiggins, Skinner
NAYS:	Butler
ABSENT:	Thorogood, Steinberg

2. Notification requirements for public hearings as set forth in the Code of Ordinances, Chapter 24, Planning and Zoning, Article VI, Amendatory Procedure, Sec. 24-610 Publication, generally.

Mr. McDonald informed the Commission that this item was in response to the Commission's request at the last meeting to see the language with a requirement of 500 feet as opposed to the current 200 foot requirement.

Chairman Frazier asked for clarification that Mr. McDonald's position is that the current requirement of 200 feet is adequate.

Mr. McDonald confirmed this, and explained that based upon the numerous tasks performed by the City in an effort to make the public aware, he feels that the 200 feet requirement is sufficient. He pointed out that there will always be residents who will come before the Commission saying that they were not notified. Mr. McDonald mentioned the discussion on the GIS software at the last meeting, and informed the Commission that the City will not be getting access to that this fiscal year.

Chairman Frazier asked what the procedure is at this point.

Attorney Petrov explained that the Commission would have to vote to amend the code, which will then require a public hearing.

Motion: a motion was made by Commissioner Butler and seconded by Commissioner Skinner to amend the code to require notification of 500 feet.

Commissioner Simmons asked if this amendment would create any additional costs to the City.

Mr. McDonald explained that the City bills the applicant for the mail outs, so it will not be creating any additional costs for the City. He added that it will simply be a matter of time spent on mailing to a larger area.

Commissioner Skinner then read aloud a letter explaining why she supports the amendment to the code:

It is the Planning and Zoning Commission's responsibility to address issues from the residents. As a Commission, we voted unanimously to expand the notification area to 500 feet. I understand that the 500 feet may raise similar objections from residents, but as a Commission we have heard that the 200 feet is not effective, and addressed this issue with a request to expand to 500. I strongly encourage my fellow Commissioners to send this request to increase the written notice to all properties owners within 500 feet of the subject area to City Council for consideration. There is a short term solution to acquire the information needed to move forward on expansion of 500 feet until GIS has be implemented in the City of Bellaire.

Commissioner Stiggins stated that he will support this, and did agree that the Commission should do whatever they can to encourage more citizens to participate, however, he is a bit reluctant after looking at all of the actions that the City currently takes to notify its residents. He added that judging by the current response of the public, it seems as though increasing it to 500 feet is just going to create a larger group of residents that choose to ignore what is going on.

Commissioner Butler didn't feel that he could make his case any stronger than he did at the last meeting. He felt that the Commission needs to make the recommendation to City Council in person and asked that the visual aids be included as well.

Commissioner Simmons voiced his support for the amendment change, and stated that it is a strong step in the right direction.

Chairman Frazier mentioned that city staff has done their job very well in abiding by the notification rules, but there continues to be members of the public who claim that they were not notified. He added that if nothing else, the Commission is listening to what the citizens of Bellaire have said, and felt that the Commission would be amiss if they didn't due their due diligence in attempting to expand the requirement.

Vote: 5-0.

(Requested by John McDonald, Community Development)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Christopher Butler, Commissioner
SECONDER:	S. Lynne Skinner, Commissioner
AYES:	Butler, Frazier, Simmons, Stiggins, Skinner
ABSENT:	Thorogood, Steinberg

VI. COMMITTEE REPORTS

There were no committee reports.

VII. CORRESPONDENCE

Commissioner Butler informed the Commission that the Ad Hoc Municipal Facilities Committee has had a couple of "big picture" meetings, and asked the Commission to help spread the word. He added that so far only one citizen has attended a meeting, and stated that they would like to see more involvement, including members of the Planning and Zoning Commission.

Chairman Frazier asked when the next meeting would be taking place.

Commissioner Butler stated that the next meeting will be on Monday, November 24th, at 6:00 PM.

VIII. REQUESTS FOR NEW BUSINESS, ANNOUNCEMENTS AND COMMENTS

1. Staff liaison report on the status of projects previously addressed by the commission as well as projects for future meetings.

Mr. McDonald informed the Commission that there will be a public hearing at the December meeting regarding a Specific Use Permit request to include a pediatric urgent care center within the medical building on Bissonnet, next to CenterPoint.

2. The Chairman shall recognize any Commissioner who wishes to bring New Business to the attention of the Commission. Consideration of New Business shall be for the limited purpose of determining whether the matter is appropriate for inclusion of a future Agenda of the Commission or for the referral to staff for investigation

There was no new business brought to the attention of the Commission.

IX. ADJOURNMENT

Motion: a motion was made by Commissioner Simmons and seconded by Commissioner Skinner to adjourn the regular session.

Vote: the motion carried on a unanimous vote of 5-0.

The regular session was adjourned at 6:43 PM.

Chairman Frazier explained that the Commission would now go into Workshop Session to discuss updates to the City of Bellaire's Comprehensive Plan. He added that it will take place in the Senior Activities Room.

B. WORKSHOP SESSION

I. Call to Order and Announcement of Quorum

Chairman Frazier called the workshop session to order at 6:50 PM, and announced that a quorum was present consisting of the following members:

**Chairman Win Frazier
Commissioner Chris Butler
Commissioner Paul Simmons
Commissioner Lynne Skinner
Commissioner Dirk Stiggins**

II. Discussion with Gary Mitchell of Kendig Keast Collaborative with regard to updating the City of Bellaire's 2009 Comprehensive Plan, with an emphasis on Land Use and Community Character, Commercial Area Development and Enhancement, and Implementation.

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Mr. Mitchell of Kendig Keast Collaborative began the conversation by stating that a fair amount of work is being done by other departments within the City, and the information from those efforts will be coming to factor into the update of the Comprehensive Plan. He added that he and Mr. McDonald would be working on the content of the plan, and that the workshop sessions will be somewhat of a check-in point along the way to give the Commission an idea of what is being looked at, as well as opportunities to voice opinions and ideas. He explained that the materials for this workshop included highlighted sections and chapters of the Comp Plan that need to be updated. Mr. Mitchell added that there are also some specific items that need to be looked at on the Future Land Use Map.

Mr. Mitchell mentioned that Chapter 1 of the 2009 Plan, entitled "Community Overview," was completed prior to the most recent Census. He then reviewed some of the new numbers that stood out to him as important factors to take into consideration:

- Increase in the household size figure within Bellaire has increased, reflecting more children in the community
- Small percentage of young adults (under 6%)
- Large senior population
- Increase in number of people with college degrees in Bellaire

Commissioner Skinner mentioned that she is seeing an increase in the number of residents whose senior parents are living with them. She asked if that was a reflection of the society as a whole, or if it was specific to Bellaire. Commissioner Skinner mentioned that this could be the reason for the increase in household size.

Mr. Mitchell stated that it is happening everywhere, and that each city handles it differently depending on their zoning. He felt that this was not contributing to the number as much as children, but that it definitely could be a factor. Mr. Mitchell added that there is also the trend of college/post college age moving back in with their parents.

Commissioner Simmons mentioned that families are also having babies at a later age.

Mr. Mitchell pointed out that as of Census 2000, just under 30% of all Bellaire housing had been built during the 1990s, and in 2012 the percentage was up to 48.9% of all dwellings built since 1990. He also mentioned that 86% of residents work outside of Bellaire, and only travel about 18 minutes to their destination. Mr. Mitchell stated that the option of commuting by transit is used by less than 1% of residents.

Mr. McDonald pointed out that you also have to take into consideration the people who travel into Bellaire for work, who need those transit options.

Chairman Frazier mentioned that the rail station was a big part of how the comprehensive plan was written and will also impact how it is updated.

Mr. Mitchell pointed out that the bus rapid transit proposal through Uptown could pave the way for rail in the future.

Chairman Frazier asked if the tremendous jump in educational attainment confers anything about housing or entertainment needs.

Mr. Mitchell explained that there is a certain demographic that lives in Bellaire because of the cost of housing, which reinforces the housing market that only a certain level of income can afford, unless there are other options within Bellaire. He mentioned that the need for additional restaurants and entertainment is always part of the discussion.

Lynn McBee-Ms. McBee mentioned that an important factor that should be considered during this update is the changing face of educational institutions.

Mr. Mitchell then shifted gears to Table 6.1, the Priority Action Agenda, and explained that it will need to be updated to reflect items that have already been accomplished. He informed the Commission that those items had been highlighted on the table that was included in their packets.

Commissioner Stiggins asked Mr. McDonald if there had been any public input on the regulation changes within the city.

Mr. McDonald explained that he has had discussions with multiple builders and developers with regard to the UV-T, UV-D, and CMU areas. He mentioned that the new regulations give them more flexibility to build, and feels that within the next few years there will be some turnover in the downtown area.

Mr. Mitchell pointed out a statement that he highlighted within Chapter 2 with regard to land use stability, and felt that it needs to be tweaked to reflect the somewhat significant regulation changes that have been made within the past couple years.

Ms. McBee stated that the changes may not be in relation to Bellaire's zoning, but rather the trends that are happening all around Bellaire.

Mr. Mitchell mentioned that the Commission also needs to revisit the statement in Chapter 5 regarding a potential "dedicated City staff or contract position to focus on economic development efforts."

Mr. McDonald explained that this was a budgeted position last year that was never filled. Coming into this year those duties were re-absorbed into current positions. He stated that the Commission needs to decide if this is something that they feel is appropriate to look into.

Commissioner Frazier asked Mr. McDonald if he felt as though Council has taken that position off of the table.

Mr. McDonald stated that he could not speak for Council, but explained that as the Commission's advisory role in the facilitation of development they have the right to propose inclusion of the position if they feel that it is appropriate for implementation of the plan.

Mr. Mitchell then moved onto the Future Land Use Map and stated that some of the labeling needs to be updated. He also mentioned that the light rail line is not going to happen in the near future and that needs to be renamed or removed from the map.

Mr. McDonald mentioned that this district was called out as a transit oriented development and has been zoned as such. He added that there has to be a public transportation element to make a TOD work, and that the Commission needs to either replace that with a transit station or come up with a different idea for the area. Mr. McDonald explained that Uptown is moving forward with their development, but at this point the location has not been identified.

Chairman Frazier agreed that it needs to be adjusted.

Commissioner Stiggins asked if the Commission would still like for it to be transit oriented.

The consensus was that it would continue to be transit oriented, the language would just need to be changed.

Ms. McBee mentioned that a transit label would attract non-tax paying entities, which she doesn't believe is consistent with the Comprehensive Plan.

Mr. McDonald explained that the light rail labeling is already doing that. He pointed out that the Commission doesn't even have to identify anything specific, it can simply be a matter of saying that the City envisions a transit system tying into the area. Mr. McDonald mentioned that it could be on the Bellaire side, or on the Houston side, but there must be connectivity to that district.

Mr. Mitchell suggested just toning down the emphasis on the rail. He also mentioned the transit center on Bellaire and asked if that was something that the Commission wished to leave on the map or if it was something that they wanted to see go away within the next few years.

Mr. McDonald explained that Metro is looking at a re-alignment. He suggested that it be taken off of the map if the Commission thinks the goal is to remove the transit center from Bellaire. Mr. McDonald added that removing it from the map obviously does not remove it from Bellaire, but it does show that the Commission does not feel that it serves a purpose for the City.

Mr. Mitchell then moved onto a discussion of the Business Park. He mentioned that other than the CenterPoint building most of that land is not being utilized.

Mr. McDonald pointed out that the map calls for a business park use and asked if that is what the Commission would continue to want for that area if the CenterPoint building goes away. He suggested that it could be changed to CMU on the front and residential on the back. He mentioned the options for planned developments also.

Mr. Mitchell informed the Commission that this is their opportunity on the planning side to determine what they would like to see happen in that area if a turnover does occur. He also mentioned that the map needs to be updated to match the changes that have been made along the Bissonnet Corridor. Mr. Mitchell then posed the question of whether retail could be allowed along 610 in the future.

Mr. McDonald informed the Commission that he has gotten several calls from real estate agents asking about properties along 610 for mixed-use developments (office, retail, and residential), which is not currently allowed. He mentioned that this would be the time to allow a little more flexibility moving forward.

Mr. Mitchell then moved onto public facilities, schools, and places of worship. He stated that the places of worship and schools should be blended into what is around them. Mr. Mitchell pointed out that most of the schools are located in residentially zoned districts, but a couple are not. Mr. Mitchell pointed out that the two that are not are located on very large properties, and suggested that the Commission take a look at the designation for those areas, in order to better control development if there happened to be a turnover in uses. Mr. Mitchell pointed out that all of the churches are currently located in residential districts.

Mr. McDonald pointed out that there is a good chance that the Mandarin School is going to go away, and that the Commission needs to determine what they would like to see for that area once the school is gone.

Commissioner Stiggins asked if the Commission was still focusing on Bellaire as the "City of Homes." If so, then residential should always come first.

Mr. Mitchell suggested, as guidance for zoning, that the schools and churches within residential zones not be called out differently on the Future Land Use Map. He stated that they could simply be labeled as landmarks.

Commissioner Simmons felt that the Commission should take advantage of the frontage along Bissonnet to incorporate some mixed-use options, but assumed that all other areas would end up residential.

Mr. Mitchell mentioned a couple of areas within the City that struck him as potentially needing a zoning change. One being the property at 4301 Bellaire Boulevard, and another being the property where the Mandarin School is currently located. He also mentioned the property at Bellaire and S. Rice, where the Presbyterian Church is currently located, although he doesn't see it turning over anytime soon.

Mr. Mitchell then mentioned that the property where Evelyn's Park will be located is called out as general residential, and needs to be changed to a park use. He also pointed out that Larch Lane is labeled as a re-development area, but has recently started turning over under the current rules.

Mr. McDonald stated that the difference would be with the density allowed.

Mr. Mitchell pointed out that some cities designate re-development areas in locations where they plan to get involved with financial tools and land assembly. He felt as though labeling it as a re-development area causes it to lose some flexibility if there is no definite plan of what the re-development is going to be.

Commissioner Butler felt that it would be easier for the Commission to deal with the designations now, while looking at the big picture, rather than reviewing applications for specific parcels of land.

Mr. Mitchell informed the Commission that he would like to review Chapters 3 and 4 at December workshop, which will be less in the Commission's hands, with most of the input coming from the other departments and consulting efforts that are going on.

Mr. McDonald explained that Chapter 2 of the Comprehensive Plan contains a whole page within the goals section that deals with issues relating to Parks and Recreation. He informed the Commission that once Parks has completed reviewing their master plan it will become an appendix to the Comp Plan and those topics will be addressed within that appendix. Mr. McDonald also mentioned that there is \$50,000 budgeted for a mobility study, and the City is trying to set up a phased approach to that. He added that once it has been outlined, the Comp Plan would be a good place to discuss this project in order to gain support. Mr. McDonald stated that the City facilities are changing over within the next couple of years and the Comp plan will be updated to reflect those changes as well.

Commissioner Stiggins asked if the map that was provided to them was an old one because the street names are different.

Mr. McDonald stated that it was most likely a scrivener's error.

Commissioner Butler agreed that there are several things on the map that need to be cleaned up.

Chairman Frazier asked what the Commission's next steps are.

Mr. McDonald informed the Commission that another workshop will be scheduled after the December meeting, at which time he will give an update on where the city is on the mobility study.

Chairman Frazier asked if the Commission was on pace in terms of the things that need to be accomplished.

Mr. McDonald felt that they were on schedule, and explained that there are really no major changes being made to the Comprehensive Plan at this point.

Mr. Mitchell agreed, and explained that the desired time frame is May, to support the budget process. He reiterated that this is only an interim update.
(Requested by John McDonald, Community Development)

III.General Public Comment

Lynn McBee-Ms. McBee mentioned that there have been several housing developments come up recently and stated that it would be interesting to know the total number of new developments and rebuilds within the City. She also asked if the mobility chapter will be updated to reflect new information based on what the Commission is hearing and expecting to happen in the future. Ms. McBee felt that the topic of mobility is a critical factor in planning.

Joy Hall-Mrs. Hall stated that it is important to her that citizens be proactive and to try to be responsible to the Commission in terms of the work that they do. She added that she is a resident of Boulevard Green and that her and her neighbors are trying to decide what might be the appropriate use for the property at 4301 Bellaire Boulevard. Mrs. Hall mentioned that she may be calling some members of the Commission in order to get ideas on how that property can be utilized as residential. She thanked the Commission for all of their interest.

IV.Adjournment

Chairman Frazier closed the Workshop Session at 8:15 PM.