



CITY OF BELLAIRE TEXAS

PLANNING AND ZONING COMMISSION

APRIL 12, 2016

Council Chamber

Regular Session

6:00 PM

7008 S. RICE AVENUE
BELLAIRE, TX 77401

I. CALL TO ORDER AND ANNOUNCEMENT OF QUORUM

Chairman Frazier called the meeting to order at 6:00 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	Commissioner	Present	
Paul Simmons	Commissioner	Absent	
Marc Steinberg	Commissioner	Present	
Dirk Stiggins	Vice Chairman	Present	
S. Lynne Skinner	Commissioner	Present	
John McDonald	Director	Present	
Scott Eidman	Attorney	Present	
Ashley Parcus	Secretary	Present	
Trisha S. Pollard	Council Member	Present	

II. APPROVAL OF MINUTES FROM PAST MEETINGS

1. Planning and Zoning Commission - Regular Session and Workshop - Mar 8, 2016
6:00 PM

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bill Thorogood, Commissioner
SECONDER:	Dirk Stiggins, Vice Chairman
AYES:	Butler, Frazier, Thorogood, Steinberg, Stiggins, Skinner
ABSENT:	Simmons

III. REMINDER TO CITIZENS DESIRING TO ADDRESS THE COMMISSION

Chairman Frazier reminded those in attendance 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.

Richard Franke-Mr. Franke questioned why the draft Capital Improvement Plan was presented to the Commission in a workshop session, rather than in a regular session where it would have been broadcasted. He added that Mayor Friedberg made a presentation back in January outlining the capital improvements needed in Bellaire, which added up to about \$340-\$350 million, with inflation. Mr. Franke stated that the minutes of the workshop reflected the fact that Commissioner Thorogood asked Mr. Hofmann what the City's debt limit was and how much more could be issued. He explained that Mr. Hofmann's response was \$70 million, with a lot to go. Mr. Franke questioned why no one challenged what the remaining debt limit was. He stated that he believes the answer is \$120 million. Mr. Franke suggested that the City's Certified Annual Financial Report be distributed to all of the members of the Planning and Zoning Commission prior to their review of the Capital Improvement Plan. He also mentioned that the prioritization of projects should not be that difficult, and urged that the City focus more on the City's street infrastructure and water line replacement than on the aesthetically pleasing aspects of the plan.

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

1. Docket # SUP-2016-01-Consideration of a request by Veritas Christian Academy of Houston, for a Specific Use Permit, as required by Chapter 24, Planning and Zoning, Section 24-533 B. (2) a), to allow for the operation of a school, at a location previously used as a church, within a residential district. The property is located in the R-4 Zoning District.

Mr. McDonald explained to the Commission the conditions that were suggested by himself and Attorney Eidman.

Motion: a motion was made by Vice Chairman Stiggins and seconded by Commissioner Thorogood to approve the specific use permit.

Vice Chairman Stiggins asked what Ordinance 13-016 was and whether he could find it on the City's website.

Mr. McDonald explained that Ordinance 13-016 was the specific use permit that was issued to Veritas Christian Academy in 2013 for the installation of two temporary buildings, and that it was not available online.

Vice Chairman Stiggins asked how the conditions are monitored by the City.

Mr. McDonald stated that the properties must submit paperwork annually showing that they are in compliance with the conditions.

Vice Chairman Stiggins mentioned that there was a discussion at last month's meeting regarding whether or not the Commission had the ability to cap the school's enrollment as one of the conditions.

Mr. McDonald explained that technically it could be done, however, the City was simply trying to avoid that extreme.

Vice Chairman Stiggins asked if there would be anything that the Commission could do in the future if issues were to arise.

Mr. McDonald mentioned that the Commission could potentially amend the SUP, if there was a need to do so.

Commissioner Skinner asked if there were currently any parking problems.

Mr. McDonald stated that there are not, but that a future increase in enrollment could lead to those issues, which could be dealt with at that time.

Commissioner Thorogood mentioned the fact that one of the suggested conditions was the repeal of Ordinance 13-016, and asked if the Commission would be putting the school in a worse position than what they are currently in by taking away their right to install the temporary buildings.

Donald Grieb, Member of the school board for Veritas Christian Academy-Mr. Grieb pointed out that he was not aware of the condition to repeal the previous SUP, and agreed that this would limit the school's ability.

Commissioner Thorogood was not comfortable with repealing the previous SUP.

Commissioner Steinberg asked if it would be more beneficial to simply say that the footprint of the property cannot change without coming back before the Commission.

Mr. McDonald pointed out that this language would not keep the school from subdividing the classrooms, which would allow for a greater increase of student population.

Commissioner Butler agreed that taking away the school's right to install the temporary buildings should be reconsidered. He suggested that Commissioner Thorogood make a motion to at least discuss the option.

Chairman Frazier was concerned that the applicant was not made aware of the suggested conditions prior to the meeting.

Mr. McDonald suggested taking a short recess in order for City staff and the City Attorney to confer with the applicant.

Chairman Frazier called a 10 minute recess.

The meeting reconvened at 6:35 P.M.

City staff and the applicant reached an agreement that would not repeal the previous specific use permit, but would cap the school's enrollment at 275 students, until all of the necessary improvements are made to Mapleridge Street.

Mr. Grieb confirmed that they are aware of the conditions and are comfortable with those changes.

Vice Chairman Stiggins asked if the school would be allowed to make modifications to the site.

Mr. McDonald stated that they would be able to make modifications if they wished to

do so.

Motion: a motion was made by Commissioner Thorogood and seconded by Vice Chairman Stiggins to approve the amendment to the specific use permit.

Vote: the motion was passed on a unanimous vote of 6-0.

Vote on previous motion to approve the specific use permit: 6-0.

The specific use permit was approved with the following conditions:

1. The following traffic pattern is continued:
 - a. Entry for all traffic shall only be via Ferris Street, with the Ferris Street entryway exit lane blocked at all times by a semi-permanent structure;
 - b. Between 7:00 a.m. and 9:00 a.m., traffic shall only exit via Mapleridge Street with the Otto Street entryway blocked during this time by a semi-permanent structure; and
 - c. After 9:00 a.m., all traffic shall exit via Otto Street or Mapleridge street
2. That the school's population shall not exceed 275 students until such time when all necessary improvements have been made to Mapleridge Street, allowing for the full ingress and egress of cars from Mapleridge, and entry and exit from Otto Street would no longer be permitted after 3:00 p.m.; and
3. That the school's teacher to student ratio of 2:16 for Preschool and 1:18 for Kindergarten and above may not be exceeded.

RESULT:	APPROVED WITH CONDITIONS [UNANIMOUS]
MOVER:	Bill Thorogood, Commissioner
SECONDER:	Dirk Stiggins, Vice Chairman
AYES:	Butler, Frazier, Thorogood, Steinberg, Stiggins, Skinner
ABSENT:	Simmons

2. Approval of the Planning and Zoning Commission's Report and Recommendation to City Council regarding the Specific Use Permit application for Veritas Christian Academy.

Mr. McDonald informed the Commission that a draft memo had been prepared by staff, and could be revised as the Commission wished. He added that the memo would be corrected to reflect the amended conditions.

Commissioner Thorogood asked that it be noted that notices were mailed out to properties within 500 feet of the property in question.

Motion: a motion was made by Commissioner Butler and seconded by Commissioner Thorogood to approve the memo as amended.

Vote: the motion carried on a unanimous vote of 6-0.

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Christopher Butler, Commissioner
SECONDER:	Bill Thorogood, Commissioner
AYES:	Butler, Frazier, Thorogood, Steinberg, Stiggins, Skinner
ABSENT:	Simmons

3. Approval of the Planning and Zoning Commission's Report and Recommendation to City Council commenting on the consistency of the Draft Five-Year Capital Improvement Plan with the adopted Comprehensive Plan.

Mr. McDonald again explained that a draft memo was prepared and could be revised as the Commission deemed necessary.

Commissioner Butler asked Mr. Hofmann if the unspent 2016 beautification funds could be added to the FY16 column.

Mr. Hofmann stated that they would be added to the FY16 column.

Commissioner Thorogood suggested that the first item listed under the Recommendation be scratched and replaced with "Include the City's current outstanding bonded indebtedness." He also asked that an item be added stating, "Include an estimate of the City's additional bonding capacity without impairment of Bellaire's current AAA bond rating while maintaining the City's current tax rate for bond interest and principal repayments."

Motion: a motion was made by Commissioner Butler and seconded by Commissioner Steinberg to approve the memo as amended.

Vote: the motion was carried on a unanimous vote of 6-0.

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Christopher Butler, Commissioner
SECONDER:	Marc Steinberg, Commissioner
AYES:	Butler, Frazier, Thorogood, Steinberg, Stiggins, Skinner
ABSENT:	Simmons

VI. COMMITTEE REPORTS

There were no committee reports.

VII. CORRESPONDENCE

There was no correspondence.

VIII. REQUESTS FOR NEW BUSINESS, ANNOUNCEMENTS AND COMMENTS

A. 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 Condit Elementary is still on schedule and should begin classes in the new building in August of this year. He added that once that happens, they will start demolition on the previous building and begin construction on the green space and parking lot. Mr. McDonald explained that Bellaire High School's Project Advisory Team has started meeting again, and HISD did present 4 proposals for

a new school at the last meeting. He added that these were not received well, and that HISD has already cancelled the next meeting in order to go back to the drawing board. Mr. McDonald stated that the Mandarin Chinese Language Immersion Magnet School will be relocating to the Galleria area in June, leaving its current site vacant. He informed the Commission that HISD is aware that a specific use permit will need to be obtained for that site. Mr. McDonald added that H-E-B is looking to break ground on the new store at the beginning of 2017.

Chairman Frazier asked Mr. McDonald if he had any information about the current tenants within the shopping center.

Mr. McDonald informed the Commission that the only ones he knew about were Jimmy Johns, which will be going in where Papa Murphy's Pizza was, UPS, which is moving next to Sherwin Williams, and Larry Haas, who is moving to 610. He added that Hong Kong Chef has closed and will not relocate. Mr. McDonald stated that there are a few that are still looking for a new place, and have been given until the fall to relocate.

Chairman Frazier asked if Mr. McDonald had any idea of when HISD might be coming before the Commission for their specific use permit.

Mr. McDonald explained that the school district would like to have it to the Commission sometime later this year, but he cannot say whether or not that will happen.

Vice Chairman Stiggins asked if the City had any updates on the Sandcastle Homes Planned Development.

Mr. McDonald stated that the last time staff spoke with them they were still waiting on the title issue to be resolved.

B. 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

Commissioner Butler mentioned that a copy of the results from the Beautification Survey were provided to each of the Commissioners. He asked that a discussion on the results be added to the Commission's next agenda in order to go into further detail.

Commissioner Butler urged the Commission members to take a look at them prior to the next meeting so that he will be able to answer any specific questions that they may have.

IX. ADJOURNMENT

Motion: a motion was made by Commissioner Steinberg and seconded by Commissioner Skinner to adjourn the Regular Meeting.

Vote: the motion carried on a unanimous vote of 6-0.

The meeting was adjourned at 7:22 PM.