



CITY OF BELLAIRE TEXAS

PLANNING AND ZONING COMMISSION

JULY 19, 2016

**Council Conference Room and Council Chamber
6:00 PM**

Workshop & Regular Session

**7008 S. RICE AVENUE
BELLAIRE, TX 77401**

WORKSHOP SESSION

I. CALL TO ORDER

Chairman Frazier called the workshop to order at 6:00 PM.

II. TOPICS OF DISCUSSION:

1. The Planning & Zoning Commission's goals for the upcoming term of July 2016 through June 2017.

a. Upcoming topics/events, or long term projects for the Commission to be aware of.

Chairman Frazier asked Mr. McDonald what projects would be coming up in the future that the Commission should be aware of.

Mr. McDonald informed the Commission that there is no timeline for Bellaire High School at this point. He added that staff has offered to meet with their architects to see what their possibilities are, but they have not contacted the City to set that meeting up.

Commissioner Steinberg asked for an update on the properties located at Newcastle and Bissonnet.

Mr. McDonald explained that they are still waiting on the court's ruling on the title issue.

Commissioner Steinberg asked what the timeline was for the proposed changes to the R-MF Zoning District.

Mr. McDonald stated that consideration of that item will be on the Commission's August agenda. He added that staff received an email today from the owner of Pont Alba regarding his concern with the restriction on density. Mr. McDonald explained that he was planning to go out to the site and see what numbers he could come up with to determine whether an adjustment would be appropriate.

Commissioner Steinberg asked if there was anything else going on in the downtown area.

Mr. McDonald stated that there is a lot of looking, but that nothing has been submitted yet.

Commissioner Thorogood mentioned that it would be beneficial for the Commission to hear whether or not the zoning ordinances that have been passed are working.

Mr. McDonald explained that the developers seem to be excited and comfortable with the changes that have been made, however, the proof can really only be shown through the turnover of properties. He added that the biggest issue with the downtown area is with drainage, and in finding a project that is not cost prohibitive after alleviating the drainage problems with the site.

Chairman Frazier mentioned that over the last few months the topic of alternative housing has been frequently brought up.

Mr. McDonald stated that those housing types are allowed in certain areas of the City, it is simply about a developer coming in who wants to do that type of project, and finding a piece of land where it is allowed. He mentioned that the Chevron property is about to be on the market, but that the idea right now is for the City to wait and see what the purchaser of the property proposes to do with the site.

Commissioner Thorogood felt that it was a bad idea for the City to sit back and wait. He stated that it will be hard to have any control over the site once the property is bought.

Mr. McDonald explained that staff will not initiate a re-zoning of the property in an effort to avoid negatively impacting the selling/purchasing of the site. He added that currently the Chevron property's tax valuation is somewhere around \$70-80 million.

A discussion ensued of what the Commissioners and staff would like to see the site turnover as. Commissioner Thorogood felt that it should be residential, whereas Mr. McDonald stated that he would like to see a mixed-use development of some kind, in an effort to keep the tax base up for that property.

Commissioner Skinner pointed out that it is a very slow year for real estate and didn't feel that single family residences would bring in that amount of money.

Chairman Frazier asked if the Commission should take another look at the UV-T Zoning District due to the fact that it hasn't exactly taken off the way that it was intended to.

Mr. McDonald stated that bus rapid transit is still a possibility. He then explained that the biggest issue that will impact the turnover for that area is the poor infrastructure.

Chairman Frazier asked the Commissioners if there was anything else that they wanted to put on the agenda for the upcoming year.

Vice Chairman Stiggins asked if there is ever a time when the Commission could/should review previously approved applications to ensure that conditions are being met. He added that doing a "postmortem" on the Commission's work may help them with determining how to handle future applications.

Mr. McDonald explained that he hasn't seen where the conditions haven't worked, it is simply if the conditions have not been met properly. He stated that in these instances staff does address those issues, as necessary.

Vice Chairman Stiggins also mentioned that the Commission always seems to be up against a time constraint when sending their Capital Improvement Plan (CIP)

recommendations to the City Council and asked if something could be done to give the Commission more time for review.

Mr. McDonald explained that there is language in Chapter 24 of the Code that gives a specific time frame of 30 days for review once the plan has been presented to the Commission. He stated that staff could look into amending that language if the Commission wished to do so. Mr. McDonald added that he could visit with the CIP project manager to see if there is a way to work within the system to alleviate that issue.

Council Member Pollard mentioned that she will be bringing forward a motion at the August 1st Council meeting to direct the Commission to review and examine the appropriateness to further regulate pawn shops, credit access businesses, and smoke shops, and to initiate the amendment process if deemed appropriate. She hoped that this item will be on the Commission's August 9th agenda.

Attorney Petrov stated that pawn shops have a lot of protections from the state, but that there could be some regulations that the City could put into place to further deter them from coming into Bellaire. He added that the Commission should also take another look at the restrictions and regulations put on sexually oriented businesses, as they are more lenient than those of the City of Houston.

2. The Commission's role in the City of Bellaire's Beautification efforts.

Chairman Frazier mentioned that the Commission needs to decide how they would like to move forward with the City's Beautification initiative. He asked if there were things, such as, architectural standards, design requirements, sign ordinances, etc. that the Commission should take a look at in an effort to be proactive.

Mr. McDonald informed the Commission that the City-Wide Beautification Workshop with Terrain Studio was rescheduled for August 4th, at 7:00 PM and that the Planning and Zoning Commission, as a stakeholder, is specifically invited to attend.

Commissioner Skinner felt that the Commission has already addressed a lot of aspects of beautification within the Comprehensive Plan.

Mr. McDonald pointed out that a lot of the recently adopted codes address the issue of beautification, however, the City is very limited from an existing building standpoint. He added that it has not yet had the desired turnover to be able to tell if the regulations that have been put into place are working. He added that if the Commission wished he could do a survey of surrounding cities to see how their design standards compare to those in place in Bellaire, or possibly bring in Gary Mitchell of Kendig Keast Collaborative to see if he has any suggestions.

Vice Chairman Stiggins asked if there are currently any regulations in place that help to guide developers with regard to street lighting, sidewalks, etc.

Mr. McDonald explained that the City is in the process of beginning a small project on Newcastle with a new standard for light. He added that there have been some discussion of expanding that project to other areas of the City. Mr. McDonald stated that the City has to be careful about the regulations that it puts on sidewalks. He mentioned that there were some conversations a couple years ago about the Commission looking into more streetscaping, and possibly coming up with ideas and working with Public Works to redevelop certain areas of the City.

The Chairman then recessed the Workshop until after the conclusion of the Regular Session.

3. The Commission's recommendation to City Council regarding sidewalks.

The workshop reconvened at 7:35 PM.

Chairman Frazier stated that the topic of sidewalks is back on the forefront and he felt as though the Commission should be proactive in lending support to Council.

Commissioner Steinberg mentioned that the topic of sidewalks has always been a very controversial issue within the City of Bellaire and felt that he would have a hard time advocating for that.

Mr. McDonald informed the Commission that there will be an item on Council's August 1st agenda to discuss an interim sidewalk plan. He explained that a Community Pathways Plan is being proposed as part of the CIP, which will not only connect parks and schools, but will work to make sidewalk connections all over the City. Mr. McDonald stated that the interim sidewalk plan would begin the process of making some of those connections until the Community Pathways Plan is started. He added that as part of the bond, there is money to fund whatever comes out of that Community Pathways Plan. Mr. McDonald also mentioned that there have been discussions of it becoming a part of the Comprehensive Plan as an addendum, which would come to the Commission for public hearing and consideration.

Commissioner Thorogood asked how the Commission should get involved. He stated that he didn't want to get in Council's way if they already have a plan of action.

Council Member Pollard added that it would be great if members of the Commission would simply come to a Council meeting to show their support for the fact that sidewalks are included within the Comprehensive Plan.

Mr. McDonald added that the Commission, as a whole, could also write up and vote on a memo to send to City Council if they wished to do so.

Commissioner Thorogood asked if there is a documented policy that Council has already formulated.

Mr. McDonald stated that at this point the only thing that has been put into action is a change to the building code that requires all new construction to build a sidewalk. He reiterated that they have asked the City Manager to bring back to them on August 1st an interim plan, which would continue to fill gaps until the Community Pathways Plan is put into action. He asked if the Commission would like to send forward a memo stating that the Commission feels as though sidewalks and pedestrian connectivity is important.

The Commission felt as though that would be a good agenda item for the future.

Council Member Pollard stated that a group letter does not take the place of individuals coming to show their support.

4. Keys to a successful year for the Commission:

a. Build trust and share information

i. Interaction between City Staff, Commissioners, & Citizens

Chairman Frazier stated that Mr. McDonald and staff are always very helpful in getting his questions answered, and he feels as though their doors are always open. He then questioned whether more could be done to share information with the citizens. He mentioned the suggestions to hold a town hall meeting regarding the Chevron property and stated that he would meet with the City Manager and City Attorney to see what the options are.

Mr. McDonald mentioned that the City has a Communications Team that could potentially be utilized for things like this.

There was then a discussion about the quarterly newsletter that the Communication Team puts out, and whether that might be an avenue to get some information to the residents.

Commissioner Steinberg mentioned that there is a new blog called Bellaire Connect.

Mr. McDonald stated that there is also one called Nextdoor that could potentially be used as well.

Commissioner Skinner felt that it is very important to communicate as much as possible. She stated that there are so many misconceptions and vicious emails that go out to the public that are not accurate.

b. Stay in contact with Commissioners and remain positive and optimistic.

Chairman Frazier stated that he felt as though the Commission does a pretty good job of staying in contact with each other and staff.

Commissioner Steinberg mentioned that it would help if the Commission could receive the agenda materials as soon as possible in order to begin preparing themselves for the meeting.

Mr. McDonald stated that staff does its best to get the agenda packets out as soon as possible, however, it really just depends on the timeliness of the applicant and when staff's review of the application packet can be completed. He stated that he will do what he can to see that the Commission gets the materials as soon as possible in the future.

c. Ask questions and find the info we need to allow trade-offs.

Vice Chairman Stiggins felt that the Commission does a good job of asking questions and discussing a variety of ideas before making a decision.

d. Come up with novel solutions not currently under discussion.

Mr. McDonald mentioned that in San Antonio, the Planning and Zoning Commission holds a workshop with staff prior to public hearings as a way to review the items with staff before hand. Mr. McDonald stated that this might be something that the Commission should think about doing in the future.

Chairman Frazier asked if that would, in any way, go against the Open Meetings Act.

Mr. McDonald explained that the workshops would still be open to the public and all items would still be agenda'd.

The Commission felt that this was a great idea and asked that it take place at the August meeting, as there are two public hearings scheduled for that night.

Commissioner Skinner asked Mr. McDonald if he felt as though the recently approved ordinances allowing more building by right has helped to improve staff's relationships/communication with builders and developers.

Mr. McDonald stated that it has helped. He added that a developer coming into the City wants to know what they can build, how long its going to take, and how much its going to cost them to do it. Mr. McDonald pointed out that building by right is the ideal situation for a timely and cost effective project.

Chairman Frazier asked Mr. McDonald if he would please let the Commission know when there are conferences and workshops that would be beneficial to them as Planning and Zoning Commissioners.

Mr. McDonald explained that the City pays for each Commissioner to be a member of the American Planning Association, and that he would be sure to let them know when those events were taking place in the future. He added that planning.org is a great resource to utilize.

e. Try to avoid defensiveness when approaching compromises.

f. Be patient and wait for the right time.

III. ADJOURNMENT

The Workshop was adjourned at 8:09 PM.

REGULAR SESSION

I. CALL TO ORDER

Chairman Frazier called the Regular Session to order at 7:00 PM.

II. ANNOUNCEMENT OF QUORUM

Chairman Frazier announced that a quorum was present, consisting of the following members:

Attendee Name	Title	Status	Arrived
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	
Jonathan Saikin	Commissioner	Present	
Mike Axelrad	Commissioner	Absent	
John McDonald	Director	Present	
Ashley Parcus	Secretary	Present	
Alan P. Petrov	City Attorney	Present	
Trisha S. Pollard	Council Member	Present	

III. REMINDER OF CITIZENS TO ADDRESS THE COMMISSION

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

IV. APPROVAL OF MINUTES FROM PAST MEETINGS

1. Planning and Zoning Commission - Regular Session - Jun 14, 2016 6:00 PM

Motion: a motion was made by Commissioner Thorogood and seconded by Commissioner Steinberg to approve the minutes.

Vice Chairman Stiggins asked that there be more clarification on page 2 of the minutes with regard to the initiation of the proposed amendments to the R-MF Zoning District.

Vote: the motion carried with a 6-0 vote to approve the minutes as amended.

***Commissioner Saikin's vote is not included in the table above.**

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

V. UNFINISHED BUSINESS, COMMUNICATIONS & REPORTS

There was no unfinished business, communications, or reports.

VI. SWEARING IN OF NEW COMMISSIONERS (INCOMING COMMISSION ASSUMES DUTIES AND OUTGOING COMMISSION RETIRES)

Attorney Petrov swore in the re-appointed members of the Commission, Lynne Skinner, Marc Steinberg, and Dirk Stiggins.

Commissioner Jonathan Saikin was sworn in prior to the Workshop Session as he is taking over an unexpired term. Newly appointed member, Mike Axelrad, was absent from the proceedings.

VII. GENERAL PUBLIC COMMENTS

1. **Persons at the meeting who have indicated their desire to be heard on matters of general interest, by submitting the form provided, shall have three (3) minutes each to present their comments. If a speaker wishes to yield their time to another speaker, then a total of six (6) minutes will be allotted. The speaker's form must indicate to whom the time is being yielded. If additional time is not yielded, the time limit may be extended to five (5) minutes at the discretion of the Chair.**

Christopher Butler-Mr. Butler stated that his departure from the Commission was his choice, but not his desire in any way. He simply felt that he was on a trajectory with the people who implement this Commission's work that was not salvageable, and did not want his continued presence to be an issue and drag down the work of other people. Mr. Butler added that he is not moving out of Bellaire, and that there is no reason that the Commissioners can't stay in touch. He told the Commission to continue doing great work and make this community proud.

Randy Pollard-Mr. Pollard mentioned the conversation that the Commission had in the workshop with regard to the Chevron property. He urged the Commission to involve the residents and get as much citizen input as possible.

Lynn McBee-Ms. McBee stated that it is going on 50 years that she has been involved in city government. She added that her impression regarding zoning has always been "you lead, we follow," however, over the last few years, her observations in Bellaire have radically changed. Ms. McBee stated that the addition of a Comprehensive Plan has helped, but that she feels as though the utilization of staff in Bellaire may differ from other cities. She mentioned that the Chevron property is an opportunity for the City to take the lead of the desired use of the property by initiating workshops and discussions within the community. She also stated that she would like to see the Commission consider other housing options such as tiny homes, cluster housing, etc. She asked the Commission to use their authority to lead this city.

VIII. INCOMING COMMISSION

1. Introduction of Incoming Commissioners

Jonathan Saikin-Commissioner Saikin stated that he has lived in Bellaire for 10 years, with his wife, and that they have an almost 11 year old daughter and an 8 year old son. He explained that he has been an attorney for 14 years, loves the City of Bellaire, and wants to give back to his community.

2. Election of Chair and Vice Chair

Nominations for Chair: a nomination was made by Commissioner Steinberg and seconded

by Commissioner Stiggins to appoint Win Frazier as Chairman of the Commission.

Vote: the nomination passed with a 6-0 vote.

Nominations for Vice Chair: a nomination was made by Commissioner Thorogood and seconded by Commissioner Skinner to appoint Dirk Stiggins as Vice Chairman of the Commission.

Vote: the nomination passed with a 6-0 vote.

Win Frazier and Dirk Stiggins were elected as the Commission's Chairman and Vice Chairman, respectively.

3. Adoption of the Rules of Procedure

Rules of Procedure

Motion: a motion was made by Commissioner Steinberg and seconded by Commissioner Thorogood to adopt the Rules of Procedure.

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

***Commissioner Saikin's vote is not included in the table above.**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Marc Steinberg, Commissioner
SECONDER:	Bill Thorogood, Commissioner
AYES:	Frazier, Thorogood, Steinberg, Stiggins, Skinner
ABSENT:	Simmons

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

There was no Current Business.

X. REPORT OF STAFF, COMMITTEES & CORRESPONDENCE

1. Staff liaison report on the status of projects previously addressed by the Commission, and upcoming project submittals.

Mr. McDonald informed the Commission that HEB will be coming back before them for an amendment to their planned development. He explained that there were changes made to the site plan and size of the building that require an additional public hearing. Mr. McDonald stated that along with HEB, the August meeting will also include a public hearing on an application for a specific use permit for a day care center at 5204 Spruce Street. He also mentioned that Condit Elementary is right on schedule and will be opening its doors on August 22, 2016 for the new school year.

Commissioner Steinberg asked when HEB is wanting to begin construction.

Mr. McDonald stated that they are looking at early January, and hope to be open by the end of October.

Commissioner Thorogood suggested that it would be helpful to include with the agenda materials a bullet point list of comparisons to show the differences in the previously approved site plan for HEB and what is being proposed.

Chairman Frazier asked how much the square footage of the building will change, if approved.

Mr. McDonald explained that they are proposing an increase in size from 70,000 to 75,000 square feet.

Commissioner Thorogood stated that he had received an invitation to Episcopal High School's Ice Cream Social, and urged his fellow Commissioners to attend.

XI. NEW BUSINESS

1. The Chair 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 on a future Agenda of the Commission, or for referral to staff for investigation.

Commissioner Skinner asked if the Development Services Department would have access to the GIS software that City Council has been discussing.

Mr. McDonald explained that the program has a certain number of licenses that are allowed, but that the City is going to work to give the department access when it is needed. He also mentioned that ARKK Engineers has a GIS analyst that the City can utilize.

Commissioner Thorogood felt that transparency is very important when it comes to the future of the Chevron site. He suggested that the City/Commission hold some type of public forum to better inform the public. Commissioner Thorogood also felt that a workshop should be added to a future agenda to address how the Commission could be proactive about this site.

Chairman Frazier mentioned that it had been a tough week for the City with the passing of Officer Zarate. He stated that the Commission's hearts go out to his family.

Commissioner Skinner informed the Commission that the Houston Business Journal named 77401 as the wealthiest zip code in Houston. She added that she isn't sure how they are calibrated, but that it is a very good thing for the City of Bellaire.

XII. ADJOURNMENT

Motion: a motion was made by Commissioner Thorogood and seconded by Commissioner Skinner to adjourn the meeting.

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

The Regular Meeting was adjourned at 7:31 PM.