



CITY OF BELLAIRE TEXAS

PLANNING AND ZONING COMMISSION

DECEMBER 13, 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
Jonathan Saikin	Commissioner	Present	
Mike Axelrad	Commissioner	Present	
Winfred Frazier	Chairman	Present	
Bill Thorogood	Commissioner	Present	
Marc Steinberg	Commissioner	Present	
Dirk Stiggins	Vice Chairman	Present	
S. Lynne Skinner	Commissioner	Present	
Zachary Petrov	Assistant City Attorney	Present	
John McDonald	Director	Present	
Ashley Parcus	Secretary	Present	
Trisha S. Pollard	Council Member	Absent	

II. APPROVAL OF MINUTES FROM PAST MEETINGS

1. Planning and Zoning Commission - Regular Session and Workshop - Oct 18, 2016 6:00 PM

Commissioner Thorogood made three corrections to the minutes.

RESULT: **APPROVED AS AMENDED [UNANIMOUS]**
MOVER: Dirk Stiggins, Vice Chairman
SECONDER: Marc Steinberg, Commissioner
AYES: Saikin, Axelrad, Frazier, Thorogood, Steinberg, Stiggins, Skinner

2. Planning and Zoning Commission - Workshop Session - Nov 8, 2016 6:00 PM

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Dirk Stiggins, Vice Chairman
SECONDER: Marc Steinberg, Commissioner
AYES: Saikin, Axelrad, Frazier, Thorogood, Steinberg, Stiggins, Skinner

III. REMINDER TO CITIZENS DESIRING TO ADDRESS THE COMMISSION

Chairman Frazier reminded any citizens who wished to speak to fill out a sign in sheet.

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.

There were no public comments.

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

1. Proposed amendments to the Comprehensive Plan and Future Land Use Map, with regard to the future redevelopment of the property currently zoned as Technical Research Park District (TRPD), as prepared by Gary Mitchell of Kendig Keast Collaborative.

Mr. McDonald explained that in the last couple months the Commission has been discussing the ability for the City to look at the long term planning for the current Chevron property. He added that based on comments made by the Commission at previous meetings, Mr. Mitchell has put together some draft language, which he was present to discuss.

Mr. Mitchell stated that he felt it appropriate to provide some history on the property in question, therefore, the text is a little longer than some of the other land use descriptions within the Comprehensive Plan. He added that he tried to strike a balance between allowing for some flexibility, providing some direction for potential zoning work that will follow, and also capturing the Bellaire values, priorities, and residential protection that is desired.

Vice Chairman Stiggins asked if a planned development (PD) would be the only way to build a multi unit residential development, due to the fact that there would need to be streets present for accessibility.

Mr. Mitchell stated that it would simply depend on how the property is sold and what type of project is proposed.

Mr. McDonald informed the Commission that Chevron is attempting to sell the commercial property as one parcel and the residential as a separate parcel. He added that potentially the land could be subdivided, which would require a replatting process that would be voted on by the Commission.

Vice Chairman Stiggins mentioned that at the last meeting Mr. McDonald talked about the fact that the City of Houston may be looking into widening South Rice Avenue and asked if he had any more information on that.

Mr. McDonald stated that he had a conversation with the our Public Works Director who stated that there have been discussions, but that the City of Houston has not yet funded that project.

Vice Chairman Stiggins then asked how the new 610/59 interchange would impact this property.

Mr. McDonald explained that it is still in design phase, however, the Fournace exit, which was originally proposed to be removed, will be left in.

Commissioner Skinner asked for clarification that the gas station next to the Chevron property is not owned by Chevron.

Mr. McDonald confirmed this and added that it has either been sold or is in the process of being sold. He added that this property could develop under the current rules, or the buyer could wait until zoning changes have been made and potentially join all of the land together. Mr. McDonald stated that based on conversations had recently, there is some interest in combining the whole site.

Commissioner Skinner asked if environmental studies will need to be done on the property.

Mr. McDonald stated that Chevron has already begun the studies, which is part of the reason why the property has not been listed yet.

Commissioner Axelrad pointed out that the language heavily references lifecycle housing and opportunities for downsizing. He asked what the buyer's options are if that is not their desired development.

Mr. Mitchell explained that the PD option is always there.

Mr. McDonald also mentioned that the zoning code is ultimately what sets the regulations for the property and that the Commission and staff can craft language that will make the investment worth it, while also requiring the services and uses that the City is looking for. He added that there are differing opinions on what downsizing is, and made reference to the Frank Liu development in Southside Place, stating that while they are smaller homes, they still may not be affordable for young families.

Chairman Frazier asked Mr. McDonald to explain the Frank Liu development that he made reference to.

Mr. McDonald explained that the old Shell property within the City of Southside Place was redeveloped by Mr. Lui into a higher density, single family residential site, which includes four-story townhomes. He added that they are selling for close to \$1 million.

Commissioner Axelrad pointed out that the only developer that could afford to do it was with that style of density. He added that it is a very nice product, however, it is very monotonous to look at. He then asked if they were far enough along in the process that developers are coming to the City to find out what is allowed for the Chevron site.

Mr. McDonald stated that no one has specifically come to talk to the City about what is allowed for this property. He added that a developer is not going to come in and invest a significant amount of money on something that they don't want to build, or isn't economically feasible to build. Mr. McDonald mentioned that the zoning code could contain built in incentives for certain uses.

Commissioner Steinberg was concerned that there is no encouragement to bring in new ideas that the Commission may have never thought of.

Mr. Mitchell stated that in his opinion the language is laying out parameters, while also leaving it open to different opportunities. He reiterated that the reference to a PD is also included to give developers that option.

Commissioner Steinberg explained that while he likes the idea of senior living, or a Frank Liu type of development, he is not sure that a development of that type would offset the amount of capital that would be put into this property.

Mr. McDonald agreed that the PD option takes care of those instances where a developer comes in with an idea that may not have been previously considered by staff or the Commission. He stated that it is essentially the "catch all."

Commissioner Saikin asked how often a new buyer applies for a PD, as opposed to an existing owner. He questioned if a sale would be negatively impacted in an instance where a potential buyer is unaware of his options.

Mr. McDonald agreed that this is of some concern, and that there is an uncertainty that goes along with a PD application. He added that normally it is the current property owner who is applying for the PD in an effort to redevelop their property. However, Mr. McDonald pointed out that it is not atypical to see a sale be contingent on certain zoning allowances. He stated that once the Comprehensive Plan has been amended, City Staff and the Commission are going to essentially sit back and wait on someone to come in and make a proposal for this property.

Commissioner Saikin mentioned that at that point, the language within the Comprehensive Plan will have been amended, however, the zoning code will still say that this property is located within the Technical Research Park District. He wondered if the conflicting language would be confusing and detract quality developers.

Mr. McDonald felt that large strides have been made in the relationship between the City and developers within recent years to show that the City is more open/flexible to project proposals than it has been in the past.

Commissioner Axelrad stated that he feels as though it would do the opposite. He added that, in his opinion, the uncertainty would weed out the inexperienced developers. Commissioner Axelrad also pointed out that where developers will normally take the path of least resistance and develop in the City of Houston, there are very few tracts of land that are this large and have this much potential for developers to take advantage of.

Chairman Frazier mentioned the infrastructure in the area and that Mr. McDonald had previously stated that he would talk to the City Engineer about any issues that could arise.

Mr. McDonald explained that he spoke with Brant Gary, the Public Works Director, who stated that there is no issue with water and wastewater, and that the site could handle any perceived future redevelopment in that area.

Chairman Frazier asked if a residential development that consists of homes in the million dollar range would be achieving the goal of lifecycle housing that is referenced in the Comprehensive Plan. He reiterated that the amount of money that the developer is going to spend on the purchase of this property may not allow for the development of homes at a significantly lower price range.

Mr. McDonald agreed that a million dollar townhome cluster is not necessarily aimed at young professionals/families. He added however that many seniors within Bellaire that are looking to downsize are not as concerned about the price of the home as much as the square footage. Mr. McDonald agreed that most likely a residential

development with a lower price point will not be feasible for this property, but that the idea is really more about diversification of the market. He also pointed out that although multi-family may not be the City or Commission's first choice, it should be considered if the economics call for it.

Commissioner Thorogood asked how large the Frank Liu development is.

Commissioner Axelrad stated that it is 7.1 acres and is split three different ways.

Commissioner Thorogood then mentioned that the language calls out vertical residential development, and posed the question about vertical versus horizontal residential development. He stated that horizontal development is becoming more and more popular in big cities, where each floor contains a flat with single ownership.

Mr. Mitchell explained that the reference to vertical housing is single family homes, a single owner of the entire structure.

Commissioner Thorogood stated that he wouldn't want to exclude horizontal residential developments as an option. He then asked Mr. McDonald if he felt as though this language, if the Commission goes no further, would give him the tools that he needs to be flexible with developers while also applying the constraints that the community essentially desires.

Mr. McDonald pointed out that "should" is used frequently, which gives a little more flexibility. He did suggest that there may need to be a stronger mention of purely commercial office.

Commissioner Thorogood asked for clarification on what the next step would be.

Mr. McDonald explained that Mr. Mitchell could tweak some of the language and bring another draft back to them in January, or if the Commission is comfortable enough with the current language then a public hearing could be called for the January meeting, with action to be taken in February. He added that it would then go to Council in March.

Commissioner Thorogood asked if the process needed to be accelerated.

Mr. McDonald stated that with a large rezoning such as this one, the City tries not to shrink it down too much in an effort to allow for more public involvement. He added that Chevron will not be completely out of the property until the end of 2017, and if a buyer is identified in the meantime they will have the ability to begin discussions with the City to determine what their options are. Mr. McDonald pointed out that joint workshops are also an option if need be.

Commissioner Thorogood asked if the current language gives citizens adequate information on what the Commission is considering in order to voice any concerns or hesitations that they may have.

Mr. McDonald explained that ultimately the Commissioners needs to ask themselves if they feel as though the current language prohibits the types of developments that they would like to see, or if they could work through this language to get to the desired outcome.

Commissioner Skinner mentioned that universities, places of worship, and medical facilities are not excluded from the allowable uses. She asked if the exclusion of those allowances is something that the Commission wants to look into.

Mr. McDonald stated that the City would most likely not be in favor of adding language that specifically excludes churches, although universities could technically be added as an excluded use. He explained that typically urgent cares or hospital are allowable uses, as they provide a service for the community. Mr. McDonald pointed out that those types of specifics would be taken into consideration at the codification phase.

Commissioner Thorogood mentioned that he would be in favor of excluding schools, generally due to a lack of tax base with that type of use.

Mr. McDonald informed the Commission that he and Attorney Petrov would look into the Commission's options.

Mr. Mitchell pointed out that there is a reference in the language to a "net tax base effect."

Commissioner Thorogood stated that if that covers all of the bases then he is comfortable with it.

Vice Chairman Stiggins pointed out that a use of that kind would have to be done as a planned development, which has to be voted on by the Commission.

Mr. McDonald explained that based on today's regulations a school or church would require a specific use permit (SUP), and although the Commission and City Council could ultimately reject it, SUPs are looked at as allowable uses that simply call for a greater sense of review. He added however that the current regulations would most likely have to be rewritten for a use of that nature to be feasible, and those amendments would also have to go before the Commission and City Council for approval.

Vice Chairman Stiggins asked Mr. McDonald if he felt as though there are enough regulations obstructing those types of uses.

Mr. McDonald confirmed that he didn't feel as though the Commission should be worried about this happening.

The consensus from the Commission was that they were comfortable moving forward with a public hearing in January.

2. Approval of the Planning and Zoning Commission's 2017 Submittal Deadline Calendar.

Commissioner Thorogood asked if all of the religious holidays have been taken into account.

Mr. McDonald stated that the schedule is based on days that the City offices are open for business, and that adjustments can be made if a conflict arises.

RESULT:	ADOPTED [UNANIMOUS]
AYES:	Saikin, Axelrad, Frazier, Thorogood, Steinberg, Stiggins, Skinner

VI. COMMITTEE REPORTS

There were no committee reports.

VII. CORRESPONDENCE

There was no correspondence.

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.

a. Visioning Bellaire: Urban Design and Beautification Conceptual Master Plan, as prepared by Terrain Studios.

Mr. McDonald informed the Commission that the City Council hired Terrain Studios to assist in the preparation of a beautification plan, which has since morphed into an urban design and beautification conceptual master plan. He added that the Commission originally chose not to be involved in that process, however, City Council has asked that the City Manager forward the plan to the Commission for review, consideration, and recommendation. Mr. McDonald explained that staff has not yet received the final document, but hopes to have it soon. He stated that it gets into urban design, land use, and subdivision, which are specifically listed under the purview of the Planning and Zoning Commission. Mr. McDonald mentioned that as part of the Capital Improvement Plan (CIP) process, which will be on the March meeting agenda, the Commission will be looking to see if there are any projects specifically called out within the Beautification Conceptual Master Plan and the Comprehensive Plan that need to be included in the CIP. He added that the Commission will also need to decide if they support the land use and zoning/subdivision recommendations and if public hearings will be desired to amend the ordinances to include those.

Chairman Frazier asked if this would be the type of document that would need to be rolled into the Comprehensive Plan, similar to how the Parks Master Plan was done this past year.

Mr. McDonald stated that he doesn't feel as though this would be a document that needs to be included with the Comprehensive Plan.

Commissioner Skinner mentioned that there was a lot of misunderstanding and lack of communication as to why this was being forwarded to the Commission. She asked if there would be better clarification of the process to the Bellaire residents.

Mr. McDonald stated that he was not aware of any issues regarding a misunderstanding about this being sent back to the Commission. He explained that the reasoning behind it is due to the fact that the Planning and Zoning Commission is charged with making recommendations on land use regulations and subdivisions and are the creators of the Comprehensive Plan, which directly relates to the Beautification Conceptual Master Plan.

b. H-E-B

Mr. McDonald informed the Commission that due to recent legislation passed by the State of Texas, H-E-B will not be installing travelators within their new building. He added that they will most likely replace them with 5-6 freight sized elevators, which will not have much of an impact on the layout of the development. Mr. McDonald explained that H-E-B will be holding a meeting at their corporate headquarters to finalize their plan and will be in contact with the City after those decisions have been made. He stated that their initial thoughts were that this change would only push the plans back a couple weeks.

Chairman Frazier asked what their projected ground breaking will be.

Mr. McDonald explained that they were originally thinking the end of January, but now it will most likely be mid February before they begin construction.

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

Commissioner Thorogood asked that staff do whatever they can to make residents aware of the public hearing regarding amendments to the Comprehensive Plan. He also mentioned that he had recently heard that the two funeral homes in the City have moved and are now located next to each other with one parking lot to share between the two. He asked if they are in compliance with the code in regards to parking requirements.

Mr. McDonald explained that both funeral homes are now owned by the same company, and their parking meets the code.

Commissioner Steinberg asked if the City confirmed with the new owner that the parking agreement with the next door neighbor is still in effect. He stated that he remembered voting on that when he was a member of the Board of Adjustment.

Mr. McDonald stated that there was a special exception for the parking requirements and that he would look into it.

Chairman Frazier asked what is going on with the property on Bellaire Boulevard next to the railroad tracks.

Mr. McDonald stated that there is someone that is interested in the property, and they are preparing to apply for some zoning amendments in order to develop it. He added that he has urged the potential buyer to communicate with the residents and get them on board with the project.

Commissioner Skinner asked if there had been any complaints regarding the parking at Condit Elementary.

Mr. McDonald stated that there have been no complaints thus far, however, there may be some parking issues when they break ground for the new City Hall.

IX. ADJOURNMENT

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

Vote: the motion carried on a unanimous vote of 7-0.

The meeting was adjourned at 7:26 PM.