

# CITY OF BELLAIRE TEXAS

## PLANNING AND ZONING COMMISSION

FEBRUARY 14, 2017

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Council Chamber

Regular Session

6:00 PM

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7008 S. RICE AVENUE  
BELLAIRE, TX 77401



### Chairman

Mr. Winfred Frazier

### Commissioner

Jonathan Saikin

### Commissioner

Bill Thorogood

### Vice Chairman

Dirk Stiggins

### Commissioner

Mike Axelrad

### Commissioner

Marc Steinberg

### Commissioner

S. Lynne Skinner

### Mission Statement:

*The City of Bellaire is dedicated to outstanding quality service and facilities to ensure an open, progressive, and secure community.*

**I. CALL TO ORDER & ANNOUNCEMENT OF QUORUM****II. APPROVAL OF MINUTES FROM PAST MEETINGS**

- A. Planning and Zoning Commission - Regular Session - Jan 10, 2017 6:00 PM

**III. REMINDER TO CITIZENS DESIRING TO ADDRESS THE COMMISSION DURING GENERAL PUBLIC COMMENTS****IV. PUBLIC HEARINGS**

Public hearing on proposed amendments to the City of Bellaire Code of Ordinances, Chapter 24, Planning and Zoning, to amend Article II, Definitions and Interpretation, Section 24-202, to include a new definition for "head shops," and to prohibit the allowance of such use within the Corridor Mixed Use (CMU), Urban Village TOD (UVT), and Urban Village Downtown (UVD) Zoning Districts; for the addition of a new section 24-526 within Article V, Zoning Regulations, regarding pawn shop regulations and allowances within the City; and to repeal and replace the language within Article XI, Sexually Oriented Businesses, Section 24-1101, Definitions, (o) (3).

**A. Presentation of the Public Hearing Process****B. Presentation by the Applicant****C. Staff Findings****D. Public Comments**

- 1. Persons at the meeting who have indicated their desire to address the Commission by submitting the form provided shall have three (3) minutes each to present comments concerning the Application. This time limit may be extended to five (5) minutes at the discretion of the Chair with the consent of the Commission.**

**E. Rebuttal by the Applicant****F. Questions from the Commission****G. Invitation for Written Comments, if applicable****H. Closure of the Public Hearing****V. GENERAL PUBLIC COMMENTS**

- A. 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 subjects for which public notice has not been given on the agenda. Issues that cannot be referred to staff for action may be placed on the agenda of a future meeting.**

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

- A. Consideration of proposed amendments to the City of Bellaire's Comprehensive Plan and Future Land Use Map, with regard to the future redevelopment of the property locally known as the Chevron property. This property is identified as "Business Park" within the Comprehensive Plan, and is currently zoned as Technical Research Park District (TRPD). The property is generally located north of Fournace Place, between South Rice Avenue and the West Loop.
- B. Approval of the Commission's Report and Recommendation to City Council regarding proposed amendments to the Comprehensive Plan and Future Land Use Map, with regard to the future redevelopment of the property locally known as the Chevron property.
- C. Presentation of the City of Bellaire's Draft Five Year Capital Improvement Plan (CIP), presented by Michelle Jordan, Project Manager.

**VII. COMMITTEE REPORTS**

**VIII. CORRESPONDENCE**

**IX. 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.**
  - 1. **H-E-B**
  - 2. **February workshop on Visioning Bellaire: Urban Design and Beautification Conceptual Master Plan**
- 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.**

**X. ADJOURNMENT**



# CITY OF BELLAIRE TEXAS

## PLANNING AND ZONING COMMISSION

JANUARY 10, 2017

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 6:04 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	Absent	
Winfred Frazier	Chairman	Present	
Bill Thorogood	Commissioner	Present	
Marc Steinberg	Commissioner	Present	
Dirk Stiggins	Vice Chairman	Present	
S. Lynne Skinner	Commissioner	Present	
John McDonald	Director	Present	
Zachary Petrov	Assistant City 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 - Dec 13, 2016 6:00 PM

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Marc Steinberg, Commissioner
<b>SECONDER:</b>	Bill Thorogood, Commissioner
<b>AYES:</b>	Saikin, Frazier, Thorogood, Steinberg, Stiggins, Skinner
<b>ABSENT:</b>	Axelrad

### III. REMINDER TO CITIZENS DESIRING TO ADDRESS THE COMMISSION

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

### IV. PUBLIC HEARINGS

Public Hearing on proposed amendments to the City of Bellaire's Comprehensive Plan and Future Land Use Map, with regard to the future redevelopment of the property locally known as the Chevron property. This property is identified as "Business Park" within the Comprehensive Plan, and is currently zoned as Technical Research Park District (TRPD). The property is generally located north of Fournace Place, between South Rice Avenue and the West Loop.

Minutes Acceptance: Minutes of Jan 10, 2017 6:00 PM (Approval of Minutes from Past Meetings)

## A. Presentation of the Public Hearing Process

Mr. McDonald informed the public of the public hearing process that would be followed. He explained that the applicant in this situation is the City, and therefore, the staff findings would be included in the presentation by the applicant.

## B. Presentation by the Applicant

Mr. McDonald introduced Gary Mitchell of Kendig Keast Collaborative, who has been working with the Commission on the proposed changes to the Comprehensive Plan.

Mr. Mitchell reviewed the purpose for the proposed changes, stating that with the removal of Chevron, the City has been given a great opportunity to better define what it would like to see for that area of Bellaire. He explained that on the City's current Future Land Use Map, this property is shown as Business Park. He added that the proposed action is to change that, as well as the text associated with it in an effort to open it up to some other opportunities. He also added that there are many concerns and expectations that go along with the zoning of that property, including residential protection, scale, height, maintenance of green space and the tree canopy in that area, as well as tax base. Mr. Mitchell explained that currently Chevron is bringing in a significant amount of money in taxes, and that the financial aspects also need to be taken into consideration with the zoning of this property. He added that the goal is to add some flexibility in the uses, while also applying parameters that will address the sensitivities of the area. Mr. Mitchell stated that if this text, or further revisions of it, were to be adopted, the Future Land Use Map designation would be changed to North Bellaire Special Development Area. He added that he was present to help with the discussion and answer any questions that the Commission and public might have.

## C. Staff Findings

Please see "Presentation by the Applicant."

## D. Public Comments

- Persons at the meeting who have indicated their desire to address the Commission by submitting the form provided shall have three (3) minutes each to present comments concerning the Application. This time limit may be extended to five (5) minutes at the discretion of the Chair with the consent of the Commission.**

The following members of the public spoke:

**Richard Franke**  
**Jim Balogh**  
**Youli Zu**  
**Pamela Wogenstahl**  
**Terisa Wilson**  
**Thomas Reed**  
**Jennifer Hawes**  
**Bryan Wogenstahl**  
**Debra Sokol**  
**John Monday**  
**Nancy Zu**  
**Brian Taylor**  
**Karen Reichesk**  
**Giles Dunn**

**Lynn McBee**  
**Antonio Fernandez**  
**Michael Tweedy**  
**Catherine Lewis**  
**Connor McBride**

The following residents provided a written comment:

Dr. & Mrs. Stanley Hamilton  
Seth & Andrea Boots

Concerns posed by the residents were:

- Creation of a thoroughfare/Increased traffic in the area
- The allowance of multi-family developments
- The allowance of retail businesses
- Zoning based on tax base
- Destruction of the neighborhood character
- Impact on property values
- Infrastructure/Utilities in the area
- Unfair treatment when compared to the rest of the City
- The personal involvement of any Commissioners with the sale or purchase of the property

It was the consensus of the residents that single-family residential be the only allowance for this area. Although there was some recognition of the tax base effect, residents felt that the zoning of this property should not be based on the amount of taxes that it would bring in.

#### **E. Questions from the Commission**

Commissioner Steinberg mentioned the residents' concerns regarding making this area a thoroughfare and asked for confirmation that doing so is not part of the language that is currently being taken into consideration.

Mr. McDonald confirmed that infrastructure is currently not being addressed at all. He added that this is simply a revision of the language within the Comprehensive Plan, which will then help to guide the City and the Commission in the re-zoning of the property.

Commissioner Steinberg asked if he was correct in saying that currently the land is available for a manufacturing use and not for residential housing, and that the proposed changes will open the property up for the allowance of residential development.

Mr. McDonald agreed that it is currently zoned "Technical Research Park", which allows for technical, industrial, telecommunications, etc. He confirmed that the proposed changes are opening it up to residential allowances.

Commissioner Steinberg mentioned that the buyer will also have the option to continue with the same use that is there now.

Mr. McDonald confirmed this, and stated that the buyer would also be able to expand based on the use that is currently allowed.

Commissioner Steinberg mentioned that he is not aware of anyone on the Commission that has personal ties to this property.

Commissioner Skinner asked Mr. McDonald to explain the process of how all of this will work with regard to the proposed changes being implemented and the sale of the property in question.

Mr. McDonald explained that the property should be on the market by late January, early February. He added that if the property is purchased prior to the re-zoning of the land then the only allowed-by-right use would be what is currently there today. Mr. McDonald stated that any other uses would have to go through the public hearing process before the Commission and City Council.

Commissioner Thorogood started by mentioning that each of the members on the Commission are required to take an oath of office prior to their appointment. He then asked Attorney Petrov to explain to the public what the Commissioners must do if they did have any interest in the property.

Attorney Petrov explained that any Commissioner with a conflict of interest must recuse himself/herself from the proceedings.

Commissioner Thorogood stated that he appreciated the concern, but felt that it was important for the public to understand the responsibilities of the members of the Commission and the oath that each of them took.

Commissioner Thorogood then explained that he used HCAD to calculate the valuation of the property, and felt that it would be in the neighborhood of \$128 million. He stated that tax revenues paid directly to the City of Bellaire were about \$250,000.

Mr. McDonald stated that the most recent was actually just over \$300,000. He also pointed out that he has a hard time believing that any home in Bellaire is paying \$20,000 to the City of Bellaire for their taxes.

Commissioner Thorogood agreed that the amount going directly to the City of Bellaire is less than \$20,000. He then pointed out that the City of Bellaire's tax rate is actually lower than the City of Houston's by almost 40%, however, there are higher property values within the City of Bellaire. Commissioner Thorogood mentioned that the Commissioners' job isn't so much to support the City's tax base as it is to do the best thing for the community.

Vice Chairman Stiggins mentioned that there is some concern about the infrastructure in the area and asked if the City would work with the potential developer to determine the traffic patterns.

Mr. McDonald stated that it would depend on whether or not the installation of public streets would be necessary within the development. He added that if they are, the developer would pay, construct, and install those, and once they are finished and approved by the City then they would be dedicated to the City. He pointed out that traffic patterns would be looked at as the site is being developed, and would be adjusted as necessary. Mr. McDonald stated that any improvement to neighboring streets that would be required, based on the addition of new development, the developer would fund.

Commissioner Stiggins asked if there was any thought given to some of the comments from the beautification plan being included in this language to emphasize the use of new

signage, street lights, etc. He asked if the developer would be in charge of funding those things as well.

Mr. McDonald explained that the developer would have to pay for anything interior to the project, as well as any requirement for new facilities directly associated to it.

Commissioner Thorogood mentioned the power transmission lines that are on the north side of the City. He stated that there are new poles going in there, and that they are increasing the capacity on those lines. He added that the property is owned by CenterPoint for those lines, and represents a buffer between the Urban Village Transit District and the north side of this section of the community.

Mr. McDonald also mentioned that all new utility developments within this property would have to be underground.

Commissioner Thorogood then asked if the developer or CenterPoint would provide the electricity and gas to this property.

Mr. McDonald explained that it would be provided by CenterPoint, through utility easements on the property that will be created by the developer.

Commissioner Saikin asked if the City was aware of any additional multi-family developments being built in Houston, which would be adjacent to Bellaire.

Mr. McDonald stated that the City is not aware of any future multi-family developments that would be directly adjacent to the City of Bellaire.

Chairman Frazier reiterated to the public that none of the Commissioners would be at the dais if there was a conflict of interest at hand. He then asked what would happen if a school purchased the property.

Mr. McDonald explained that the current code would allow for a school to be built on the property, however, they would have to go before the Commission and City Council for a specific use permit.

Chairman Frazier mentioned the residential lots on Mayfair that are also owned by Chevron, but are separate from the rest of the property. He asked Mr. McDonald if he knew what Chevron was planning to do with those parcels.

Mr. McDonald stated that representatives of Chevron have informed him that the goal is to sell those lots off separately from the commercial property. He added that there has never been any plan by the Commission or City staff to recommend the re-zoning of those properties, and that those lots would maintain their current R-3 designation.

Chairman Frazier also mentioned the comments regarding the infrastructure in that area of the City. He pointed out that the part of South Rice Avenue that is adjacent to the Chevron property is maintained by the City of Houston.

Mr. McDonald confirmed this and added that there has been talk with the City of Houston about widening the right-of-way, but nothing is currently set in stone.

#### **F. Response of Applicant**

Mr. Mitchell stated that he felt as though the public hearing was a microcosm of the Commission's previous discussions in trying to find a middle ground that everyone can



agree on. He mentioned that ultimately it is impossible to make everyone happy, and it will be a challenge all the way up to Council. Mr. Mitchell pointed out that the starting point of these discussions goes all the way back to the 2009 Comprehensive Plan, where the Commission began asking if there was an opportunity to offer down-sized and more affordable housing within this area of the City. He stated that ultimately lines will have to be drawn, and that the Commission will need to decide at the February meeting if it would like to revisit some of the language, or if it is comfortable with the current proposed text. Mr. Mitchell stated that the attempt was to cover a lot of bases and see how the market responds, however, if it is the desire of the Commission, the property could be zoned single-family and then revisited in the future depending on the response. He added that he is concerned with the economics of the development of single-family on that site. Mr. Mitchell stated that ideally a developer would bring forward a master planned development, and that the proposed text would serve as a parameter to protect the neighbors adjacent to the property.

#### **G. Invitation for Written Comments, if applicable**

Mr. McDonald stated that written comments will be accepted through February 8th, at 5:00 PM.

#### **H. Closure of the Public Hearing**

**Motion:** a motion was made by Commissioner Skinner and seconded by Commissioner Steinberg to close the public hearing.

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

**The public hearing was closed at 7:45 PM.**

The Commission then took at short recess.

### **V. 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 stated that the Commission is not prohibited from responding to questions of a factual nature. She asked that it be corrected on the agenda. She also asked that the Commission and staff urge the City Council members to watch the video of the hearing, as they are concerned about making sure that audience participation increases. She added that she feels as though it is time for Council Members to become more involved, and hearing the public comments is much more meaningful than reading it in the minutes. Ms. McBee mentioned that there are ways, legally, for the City to implement a moratorium. She urged the Commission to ask the city attorney for a legal opinion concerning both past use and current requirements to enable a moratorium to halt development, and any activity on this tract until a zoning code amendment is adopted for it.

**John Monday**-Mr. Monday stated that he had put a few pages together on information that might be beneficial to the Commission regarding the Beautification Master Plan,

however, he was still awaiting comments from the Mayor and Council Member Pollard. He added that he was present to help answer any questions that the Commission had.

#### **VI. CURRENT BUSINESS (ITEMS FOR DISCUSSION, CONSIDERATION, AND/OR POSSIBLE ACTION)**

1. Discussion on proposed amendments to the City of Bellaire Code of Ordinances, Chapter 24, Planning and Zoning, with regard to the regulation and allowance of pawnshops, smoke shops, credit access businesses, and sexually oriented businesses within the City.

Mr. McDonald and Attorney Petrov went through the proposed language with the Commission regarding the regulations on pawn shops, head shops (smoke shops), and sexually oriented businesses (SOBs). They explained that the term "head shop" was being used in place of "smoke shop" in an effort to ensure that certain types of businesses, i.e. gas stations that sell cigarettes, are not impacted by this ordinance. They stated that the definition of "head shop" will need to be added to the code. Mr. McDonald added that the City Attorney has, as previously discussed, recommended against any changes to the regulations regarding the governing of credit access businesses, as the state legislature will be addressing those this year. He stated that once the ruling on that is complete, the City will take another look to see if there are still areas where the regulations could be tighter.

Mr. McDonald informed the Commission that if they are comfortable with the language that has been presented then staff will call a public hearing for the February meeting to begin the process of amending the code.

Commissioner Stiggins mentioned the proposed language regarding pawnshops that states that "a pawnshop shall not be located within 100 feet of any residential structure." He then asked how many people are limited to a residential setting.

Mr. McDonald stated that the regulations only allow for two unrelated persons to live in a residence, however, that is not a factor in this situation. He added that this is simply saying that a pawnshop cannot go in at any location within the City that is within 100 feet of a property that is defined as residential.

Commissioner Saikin asked what the reasoning was behind the 100 foot limitation.

Mr. McDonald explained that it was simply a standard that the attorney and City staff had come up with that will still allow them in certain locations, but greatly restricts them in most areas of the City. Attorney Petrov and Mr. McDonald reminded the Commission that legally they cannot be prohibited.

Commissioner Saikin stated that he would be in favor of an even more restrictive distance, if possible. He also questioned the rationale behind the allowance for any type of retail establishment exception within a SOB.

Mr. McDonald explained that if that distinction was not made, then certain party shops or other types of retail businesses (e.g Spencer's) would fall into the category of a sexually oriented business. He added that the proposed language follows the City of Houston and Harris County's definition of a SOB.

Commissioner Saikin asked if a store such as Spencer's would be able to come to the City and ask for permission to open a location within Bellaire.

Mr. McDonald stated that there is currently no variance allowance for use. He added that language would have to be added to this section that would allow someone to apply for a variance in this situation. Mr. McDonald also reiterated that by law SOBs cannot be prohibited within the City.

Commissioner Saikin mentioned that he would advocate for the strictest regulations that are permitted under the law.

Commissioner Thorogood asked if it would be more appropriate to say "any property zoned for residential use."

Mr. McDonald pointed out that in saying "zoned for residential use" it would exclude certain zoning districts within the City that are not zoned as residential, but residential is allowed within them, such as the mixed-use and downtown areas.

Commissioner Thorogood mentioned that he thought that the current pawn shop on Bissonnet is within 100 feet of a residential property.

Mr. McDonald agreed. He added that it is currently non-conforming, but if it were ever to close for a period of 6 months or more it would not be allowed to reopen.

Commissioner Thorogood asked if the property owner would be notified if these regulations were passed.

Mr. McDonald stated that the City has never notified businesses of this before, but it could be done.

Chairman Frazier felt that the current language was appropriate and asked the Commission if everyone was comfortable with calling the public hearing for February.

The Commission agreed to move forward.

2. Approval of the Planning and Zoning Commission's 2016 Annual Report to City Council.

A minor change in wording was made by Vice Chairman Stiggins.

The Commission thanked Chairman Frazier for his preparation of the annual report.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bill Thorogood, Commissioner
<b>SECONDER:</b>	Dirk Stiggins, Vice Chairman
<b>AYES:</b>	Saikin, Frazier, Thorogood, Steinberg, Stiggins, Skinner
<b>ABSENT:</b>	Axelrad

3. Discussion on the Commission's role in the review, consideration, and recommendation of Visioning Bellaire: Urban Design and Beautification Conceptual Master Plan, as prepared by Terrain Studios.

Mr. McDonald informed the Commission that Terrain Studios has completed the City's Urban Design and Beautification Conceptual Master Plan, and that City Council has voted to send it to the Commission for review and approval. He also mentioned that the Commission's review of the Capital Improvement Plan (CIP) is quickly approaching and that it would be appropriate for the Commission to compare the projects listed within the CIP to the projects that are suggested within the

Beautification Master Plan, as well as the Comprehensive Plan, to determine if there is anything that they feel should be added. Mr. McDonald stated that Cheryl Bright, Assistant Director of Parks, Recreation, and Facilities was present to give the Commission some background information and to answer any questions that they may have.

Ms. Bright then briefly explained the process that the City has gone through to prepare this plan with the help of Terrain Studios. She mentioned that there were members of the City's boards and commissions that chose to be a part of the Community Advisory Group, however the Planning and Zoning Commission chose not to be represented during that time.

Commissioner Stiggins asked if the City had thought about implementing some of the ideas brought forward within the Beautification Plan in the new City facilities.

Mr. McDonald explained that the facilities projects have already been funded and designed.

John Monday-Mr. Monday stated that the information is extensive and somewhat challenging to follow. He suggested that the Commissioners go through the material once or twice and then do a compatibilities list, specifically to the goals and the narratives of the Comprehensive Plan, to establish the projects that would be good for Bellaire from the Commission's perspective.

Mr. McDonald mentioned that the CIP will be presented to the Commission at the February 14th meeting, and suggested that a workshop be held at some point following that presentation to provide the Commission with an opportunity to further discuss the projects related to the CIP and Beautification Master Plan. Mr. McDonald also pointed out that no business owners within the City were involved in the creation of the Beautification Master Plan and suggested that this could be a good opportunity to get their thoughts and concerns.

City Staff and the Commission decided on February 21st for the workshop.

The Commission felt that James Andrews, the City Engineer, should be involved in the process as well.

Mr. McDonald informed the Commission that he would invite Mr. Andrews to that workshop.

## **VII. COMMITTEE REPORTS**

There were no committee reports.

## **VIII. CORRESPONDENCE**

There was no correspondence.

## **IX. 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 H-E-B is looking to start demolition around the end of February. He added that City Council had held a public hearing the previous night on the proposed amendments to the R-MF Zoning District, and will be considering that item at their next meeting. Mr. McDonald mentioned that there have not been any

new developments on Bellaire High School. He also stated that the Newcastle/Howard Lane property is still tied up in Supreme Court legislation, but that they are looking at selling half of the lots off to a different builder to get some diversification.

Commissioner Steinberg asked if there had been any more movement with the old church property on Bellaire Boulevard.

Mr. McDonald stated that staff has spoken with a couple people interested in developing residential on that property, but that it will need to go through several amendments, which will come before the Commission.

**1. Update on the 2018-2022 Capital Improvement Plan**

Mr. McDonald stated that he had already given his information on the CIP within the agenda item on the Beautification Master Plan.

**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.**

No new business was brought forward.

**X. ADJOURNMENT**

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

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

**The meeting was adjourned at 9:24 PM.**

**Planning and Zoning  
Commission**

City Council Chambers, First Floor of  
City Hall  
Bellaire, TX 77401



Meeting: 02/14/17 06:00 PM  
Department: Development Services  
Category: Public Hearing  
Department Head: John McDonald  
DOC ID: 2188

**SCHEDULED  
PUBLIC HEARING (ID #  
2188)**

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**Item Title:**

Public hearing on proposed amendments to the City of Bellaire Code of Ordinances, Chapter 24, Planning and Zoning, to amend Article II, Definitions and Interpretation, Section 24-202, to include a new definition for "head shops," and to prohibit the allowance of such use within the Corridor Mixed Use (CMU), Urban Village TOD (UVT), and Urban Village Downtown (UVD) Zoning Districts; for the addition of a new section 24-526 within Article V, Zoning Regulations, regarding pawn shop regulations and allowances within the City; and to repeal and replace the language within Article XI, Sexually Oriented Businesses, Section 24-1101, Definitions, (o) (3).

**Background/Summary:**

A public hearing is scheduled on proposed amendments to the Code of Ordinances, Chapter 24, Planning and Zoning, to further regulate the following business types: pawn shops, head shops, and sexually oriented businesses. These amendments, drafted through the City Attorney's Office, were originally presented to the Commission at the January 2017 meeting.

Pawnshops - a new regulation is proposed requiring a minimum distance of 100 feet between such businesses and a residential property.

Head shops - a definition will be added and the use will be prohibited in the Urban Village TOD, Urban Village Downtown, and the Corridor Mixed Use Districts.

Sexually Oriented Businesses - Under the definition of Enterprise, the allowance of a retail establishment to be excluded from the SOB requirements will be better defined by replacing the term "primary business" with a minimum of 60% of gross sales.

**Recommendation:**

No recommendation is warranted at this time. This item is tentatively scheduled for consideration at the March 14 Commission meeting.

**ATTACHMENTS:**

- Proposed Amendments, Zoning-Headshops, Pawnshops, SOBs (PDF)
- Code Amendment - Chapter 24 - Headshops etc (PDF)



## Head Shops

Existing Section to be amended.

Section 24-202. - Definitions.

(83.5) *Head shops.* Any retail establishment open to the public that presents, displays, or offers for sale, distribution, or delivery, smoking paraphernalia items of any kind. "Smoking paraphernalia" shall mean paraphernalia, devices, or instruments, including but not limited to pipes, bongs, and hookahs, that are designed or manufactured for the smoking, ingesting, inhaling, or otherwise introducing into the body "controlled substances" as defined by the Texas Controlled Substance Act, Health and Safety Code, ch. 481, as may be amended. "Smoking paraphernalia" shall also mean and include, in the broadest application possible, kits that are used, intended to be used, or commonly known to be used for the ingestion, inhalation, preparation, or injection of illegal substances, and include any device or instrument which has been fabricated, constructed, altered, adjusted, or marked especially for use in the smoking or ingestion of marijuana, hashish, cocaine, methamphetamine, any other "controlled substance," "controlled substance analogue," "synthetic controlled substance," or other substance or chemical that mimics the effect of THC such as synthetic cannabinoids or other controlled substances, or any other substance that violates local, state, or federal law, and is adapted for the purpose of smoking or ingesting by virtue of a distinctive feature or combination of features associated with drug paraphernalia, notwithstanding that it might also be possible to use the smoking paraphernalia for some other purpose. "Smoking paraphernalia" shall also mean and include, in the broadest application possible, kits that are used, intended for use, or designed for use in planting, propagating, cultivating, growing or harvesting any species of plant which is a controlled substance, or from which a controlled substance can be derived from the manufacturing, compounding, converting, producing, processing or preparing of a controlled substance. "Smoking paraphernalia" does not include lighters, matches, cigarette holders, and devices used to store or preserve tobacco, tobacco cigarettes, cigarette papers or cigars, nor does it include e-cigarette, e-pipe and e-cigar devices or their respective components including but not limited to the atomizer unit, liquid nicotine reservoir or nicotine cartridge tank, and cartomizer.

**This use would be listed within each commercial or mixed-use district as a non-permitted use.**

## Pawnshops

Add a new Section.

### Section 24-525. Pawnshop Regulations.

The following general conditions for pawnshops shall apply regardless of whether the pawnshop is to be construed as a permitted use or a specific use. A pawnshop shall not be located within one hundred (100) feet of any residential property, measured from the closest point on the property line of the residential property to the closest point of any property in use as a pawnshop or containing such use.



## Sexually Oriented Business

Existing Section to be replaced.

### Sec. 24-1101. - Definitions.

As used in this Article, the following words and terms shall have the meanings ascribed to them in this Section, unless the context of their usage clearly indicates another meaning:

- (a) *Achromatic*. Colorless, lacking in saturation or hue. Without limitation, gray shall be included, but white and black shall be excluded from the definition of achromatic.
- (b) *Adult bookstore*. An establishment whose primary business is the offering to customers of books, magazines, films or videotapes CDs, DVDs (whether for viewing off-premises or on-premises by use of electronic media image-producing devices), periodicals, or other printed or pictorial materials which are intended to provide sexual stimulation or sexual gratification to such customers, and which are distinguished by or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities, or specified anatomical areas.
- (c) *Adult cabaret*. An establishment whose primary business is the offering to customers of live entertainment which is intended to provide sexual stimulation or sexual gratification to such customers, and which is distinguished by or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities, or specified anatomical areas.
- (d) *Adult encounter parlor*. An establishment whose primary business is the provision of premises where customers either congregate, associate, or consort with employees who engage in specified sexual activities with or in the presence of such customers, or who display specified anatomical areas in the presence of such customers, with the intent of providing sexual stimulation or sexual gratification to such customers.
- (e) *Adult lounge*. An adult cabaret, as defined above, which is a permitted or licensed premises, pursuant to the Texas Alcoholic Beverage Code, where alcoholic beverages may be served or sold.
- (f) *Adult modeling studio*. An establishment whose primary business is the provision to customers of figure models who are so provided with the intent of providing sexual stimulation or sexual gratification to such customers and who engage in specified sexual activities or display specified anatomical areas while being observed, painted, painted upon, sketched, drawn, sculptured, photographed, or otherwise depicted by such customers.
- (g) *Adult movie theater*. An establishment, containing a room with tiers or rows of seats facing a screen, or projection area, whose primary business is the exhibition to customers of electronic media which are intended to provide sexual stimulation or sexual gratification to such customers and which are distinguished by or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.
- (h) *Applicant*. The applicant for a permit shall be the intended operator of the enterprise.
- (i) *Church*. A building, whether situated within the City or not, in which persons regularly assemble for religious worship intended primarily for purposes connected with such worship or for propagating a particular form of religious belief.
- (j) *Commercial multi-unit center*. A building or structure (including a shopping mall or strip shopping center) containing three (3) or more separate premises, each of which is offered by lease or otherwise for separate occupancy or control and each of which occupies an enclosed area having its own door or entrance way opening onto public property, a public way, or a common area.
- (k) *Conduct any business in an enterprise*. Any person who does any one (1) or more of the following shall be deemed to be conducting business in an enterprise:

- (1) Operates a cash register, cash drawer or other depository on the enterprise premises where cash funds or records of credit card or other credit transactions generated in any manner by the operation of the establishment or the activities conducted therein are kept;
  - (2) Displays or takes orders from any customer for any merchandise, goods, entertainment or other services offered on the enterprise premises;
  - (3) Delivers or provides to any customer any merchandise, goods, entertainment or other services offered on the enterprise premises;
  - (4) Acts as a door attendant to regulate entry of customers or other persons into the enterprise premises; or
  - (5) Supervises or manages other persons in the performance of any of the foregoing activities on the enterprise premises.
- (l) *Customer.* Any person who:
- (1) Is allowed to enter a regulated establishment in return for the payment of an admission fee or any other form of consideration or gratuity; or
  - (2) Enters a regulated establishment and purchases, rents or otherwise partakes of any merchandise, goods, entertainment or other services offered therein; or
  - (3) Is a member of and on the premises of a regulated establishment operating as a private club.
- (m) *Director.* The Chief of Police and such employee(s) of the police department as he may designate to perform the duties of the Director under this Article.
- (n) *Employee.* Any person who renders any service whatsoever to the customers of a regulated establishment or who works in or about a regulated establishment and who receives compensation for such service or work from the operator or owner of the regulated establishment or from the customers therein.
- (o) *Enterprise.* An adult cabaret, adult encounter parlor, adult lounge, adult modeling studio, or any establishment whose primary business is the offering of a service or the selling, renting or exhibiting of devices or any other items intended to provide sexual stimulation or sexual gratification to its customers, and which is distinguished by or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas. The term "enterprise" shall not be construed to include:
- (1) Any business operated by or employing licensed psychologists, licensed physical therapists, licensed athletic trainers, licensed cosmetologists, or licensed barbers performing functions authorized under the licenses held;
  - (2) Any business operated by or employing licensed physicians or licensed chiropractors engaged in practicing the healing arts; or
  - (3) Any retail establishment ~~whose primary business~~ where a minimum of sixty (60) percent of gross revenues are generated from is the offering the sale of wearing apparel ~~for sale to~~ customers. Items generally considered to be shoes or accessories are specifically not apparel.
- (p) *Entertainment.* Any act or performance, such as a play, skit, reading, revue, pantomime, scene, song, dance, musical rendition or striptease, whether performed by employees, agents, contractors, or customers. The term "entertainment" shall also mean bartenders, waiters, waitresses, or other employees exposing specified anatomical areas or engaging in specified sexual activities in the presence of customers.
- (q) *Exterior portion.* Any part of the physical structure of a regulated establishment, including a wall, veneer, door, fence, roof, roof covering, or window, which is visible from any public way or public property.



- (r) *Licensed day-care center.* A facility licensed by the State of Texas, whether situated within the city or not, that provides care, training, education, custody, treatment or supervision for children under fourteen (14) years of age, where such children are not related by blood, marriage or adoption to the owner or operator of the facility, for less than twenty-four (24) hours a day, regardless of whether or not the facility is operated for a profit or charges for the services it offers.
- (s) *Operator.* The manager or other natural person principally in charge of a regulated establishment.
- (t) *Owner or owners.* Owner or owners shall mean the proprietor if a sole proprietorship, all partners (general and limited) if a partnership, or all officers, directors, and persons holding ten percent or more of the outstanding shares of a corporation. The term "owner" shall not include any such person who has given to the operator a statement under oath that he does not desire to be listed on the permit application and that he waives any right to any notice that is required or permitted to be given under this Article.
- (u) *Permit.* A current, valid permit issued by the Director pursuant to the terms of this Article to an operator for an enterprise.
- (v) *Regulated establishment.* Any enterprise, adult bookstore, or adult movie theater, as defined herein.
- (w) *Residential.* Pertaining to the use of land, whether situated within the City or not, for premises such as homes, town homes, patio homes, mobile homes, duplexes, condominiums and apartment complexes, which contain habitable rooms for non-transient occupancy and which are designed primarily for living, sleeping, cooking, and eating therein. A premises which is designed primarily for living, sleeping, cooking and eating therein shall be deemed to be residential in character unless it is actually occupied and used exclusively for other purposes. Hotels, motels, boardinghouses, nursing homes, hospitals, and nursery schools shall not be considered to be residential.
- (x) *School.* A building, whether situated within the City or not, where persons regularly assemble for the purpose of instruction or education together with the playgrounds, stadium and other structures or grounds used in conjunction therewith. The term is limited to:
  - (1) Public and private schools used for primary or secondary education, in which any regular kindergarten or grades one (1) through twelve (12) classes are taught; and
  - (2) Special educational facilities in which students who have physical or learning disabilities receive specialized education in lieu of attending regular classes in kindergarten or any of grades one (1) through twelve (12).

**Amendment to Sec.24-536 Corridor Mixed Use District (CMU), B. Uses, (1) Permitted Uses**

(c) Commercials uses as follows, not to include head shops, or any drive-in or drive-through facilities without Specific Use Permit approval:

**Amendment to Sec. 24-537 Urban Village-Downtown (UVD), B. Uses, (1) Permitted Uses**

(d) Commercials uses as follows, not to include head shops, or any drive-in or drive-through facilities without Specific Use Permit approval:

**Amendment to Sec. 24-347 Urban Village (TOD) District (UVT), B. Uses, (4) Prohibited Uses, by adding a new prohibited Use.**

o) head shops.

## Planning and Zoning Commission

City Council Chambers, First Floor of  
City Hall  
Bellaire, TX 77401



Meeting: 02/14/17 06:00 PM  
Department: Development Services  
Category: Comprehensive Plan  
Department Head: John McDonald  
DOC ID: 2187

### **SCHEDULED ACTION ITEM (ID # 2187)**

#### **Item Title:**

Consideration of proposed amendments to the City of Bellaire's Comprehensive Plan and Future Land Use Map, with regard to the future redevelopment of the property locally known as the Chevron property. This property is identified as "Business Park" within the Comprehensive Plan, and is currently zoned as Technical Research Park District (TRPD). The property is generally located north of Fournace Place, between South Rice Avenue and the West Loop.

#### **Background/Summary:**

Scheduled for consideration is an amendment to the City of Bellaire's Comprehensive Plan, most recently updated in September 2015. This amendment proposes the replacement of the "Business Park" classification within Chapter 2 of the Comprehensive Plan with "North Bellaire Special Development Area", as well as revising the incorporated Future Land Use Map to show this change.

This proposal follows the news that Chevron is closing its Bellaire facility this year, allowing the future redevelopment of the property away from technical and light industrial to a district more compatible with the character of Bellaire.

The Comprehensive Plan sets the guiding principles for an area, while rezoning (to be accomplished at a future date) establishes the regulations that will control development. Texas Local Government Code §211.004, Compliance With Comprehensive Plan, states "Zoning regulations must be adopted in accordance with a comprehensive plan..." Therefore this amendment is the first of a two-step process.

The attached recommendation was crafted with the assistance of Gary Mitchell with Kendig Keast Collaborative and came about over several months of discussion with the Commission. A public hearing on the proposal was held on January 10, 2017, and was well attended. An additional nine written comments were received and are included in this packet for your review.

#### **Recommendation:**

The Director of Development Services recommends approval of the proposed amendment to the Comprehensive Plan and Future Land Use Map.

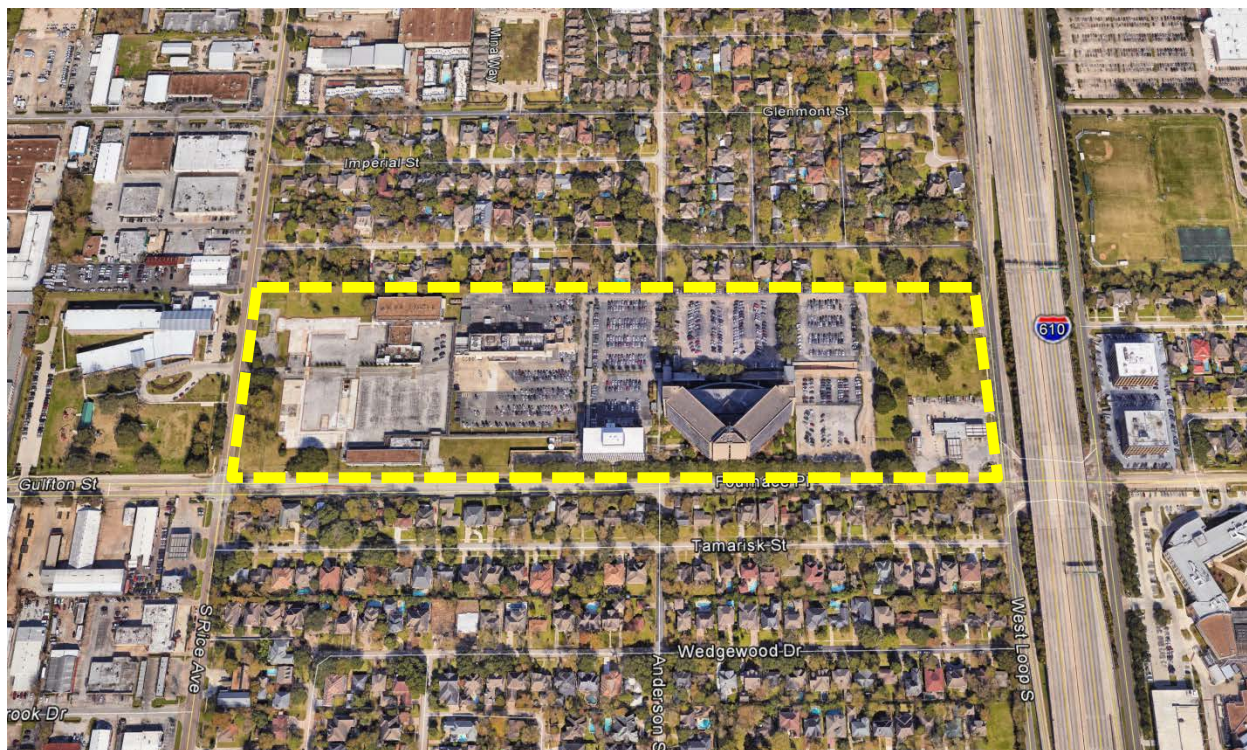
#### **ATTACHMENTS:**

- Bellaire New Land Use Category Description DRAFT 12 08 16 (PDF)
- Proposed Future Land Use Map (PDF)
- Written Comments-2.14.17 (PDF)



## North Bellaire Special Development Area

Since the 1940s, the area just north of Fournace Place, between the present-day West Loop 610 on the east and South Rice Avenue on the west, has been devoted to technical/research functions and other office space, first by Texaco and in recent decades by Chevron Corporation. Through its zoning ordinance, the City of Bellaire applied a Technical Research Park (TRP) classification to the area, including several adjacent properties that front on Loop 610. One of these properties has long been in use as a gas station at the northwest corner of Fournace and the Loop. The zoning classification corresponded with a Business Park designation for this area on the Future Land Use and Character map within the City's Comprehensive Plan. This Land Use and Community Character section of the plan previously described the Business Park designation as appropriate for "areas already developed as, or envisioned for office and research and technology-related uses in a campus-like environment."



In summer 2016, Chevron announced its plans to remove all activities from this location by 2017 and sell the property. This turn of events opened up redevelopment possibilities for a contiguous, rectangular area of some 30 acres in north Bellaire, with the corner gas station property also going on the market. This is similar to significant property sales and land use transitions seen in nearby areas of central Houston, and particularly to the north around the West Loop 610 corridor through Uptown Houston. The difference is that Bellaire uses a Comprehensive Plan and zoning regulations to set parameters for land use and clarify desired community outcomes from new development and redevelopment activity. This is essential as the North Bellaire Special Development Area is bordered not only by busy arterial streets and a major freeway. Long-established neighborhoods of single-family detached homes are immediately north of the area and also to the south across Fournace Place.

Given this context, the area is envisioned as potentially accommodating a range of uses that would capitalize on this unique redevelopment opportunity, but with such uses located and designed to provide protection to adjacent residential areas. With an eye to the City's long-term financial outlook

and costs of public service provision, the development prospects for this area clearly must take into account the net tax base effect as the area transitions from its previous land uses. Along with creating value and quality for the community, residential options and non-residential uses and amenities developed in the area should help to satisfy life-cycle housing needs of current and prospective Bellaire residents (i.e., homes for young professionals and families, “downsizing” options for senior residents). The development outcomes should also contribute to residents’ quality of life through potential new retail and service uses, including restaurants. The predominant residential component should be single-family homes developed in a clustered fashion, on small lots and likely with a more vertical house profile (i.e., three-four stories) than seen previously in Bellaire but common in residential construction in the vicinity in recent years, including in redeveloping areas along Bellaire Boulevard in the City of Southside Place.

Multi-family development is provided for in several other areas of Bellaire, including within the Residential-Multifamily (R-MF) zoning district, as well as the more recently established Urban Village-Downtown (UV-D), Urban Village-Transit Oriented Development (UV-T) and Corridor Mixed Use (CMU) districts. For this reason, the North Bellaire Special Development Area is seen as more appropriate for other uses. However, if land costs and development economics make multi-family among the only viable residential options for the area, then limitations on the quantity and standards for the quality of such use should apply as in the UV-D, UV-T and CMU zoning districts. Likewise, any multi-family use in the Special Development Area should occur only as part of mixed-use development.

The most intensive uses in the Special Development Area, and their associated vehicular access points, should be located along or near the Loop 610 frontage. A next tier of use intensity could occur along the South Rice Avenue frontage and, secondarily, along the Fournace Place frontage. The lowest development intensities, together with adequate separation and buffering, should occur along the northern boundary of the area, closest to the single-family homes that front on Mayfair Street. The current TRP district imposes a six-story building height limitation as was typical of various Bellaire zoning districts prior to more recently established districts that provide greater height flexibility. However, the existing office building on the Chevron site, constructed in the 1970s and situated close to Fournace, long ago set a precedent of 10 stories. As in the other Bellaire zoning districts that involve the interface between low-density residential and higher-intensity land uses, a “height-setback plane” (greater setback of upper portions of buildings) should govern the allowable height of potential multi-story buildings near single-family homes to maintain openness and protect residential privacy.

Property owners and developers always have the option of pursuing a Planned Development (PD) zoning approval for proposed development of some portion or all of the North Bellaire Special Development Area. As in other areas of the community, a PD application provides the opportunity to put forward a master-planned development approach that may involve an alternate set of land uses and/or special site design elements. Any such proposal would be vetted through a site plan review process and associated public discussion and hearings as provided for in the City’s development regulations and procedures.

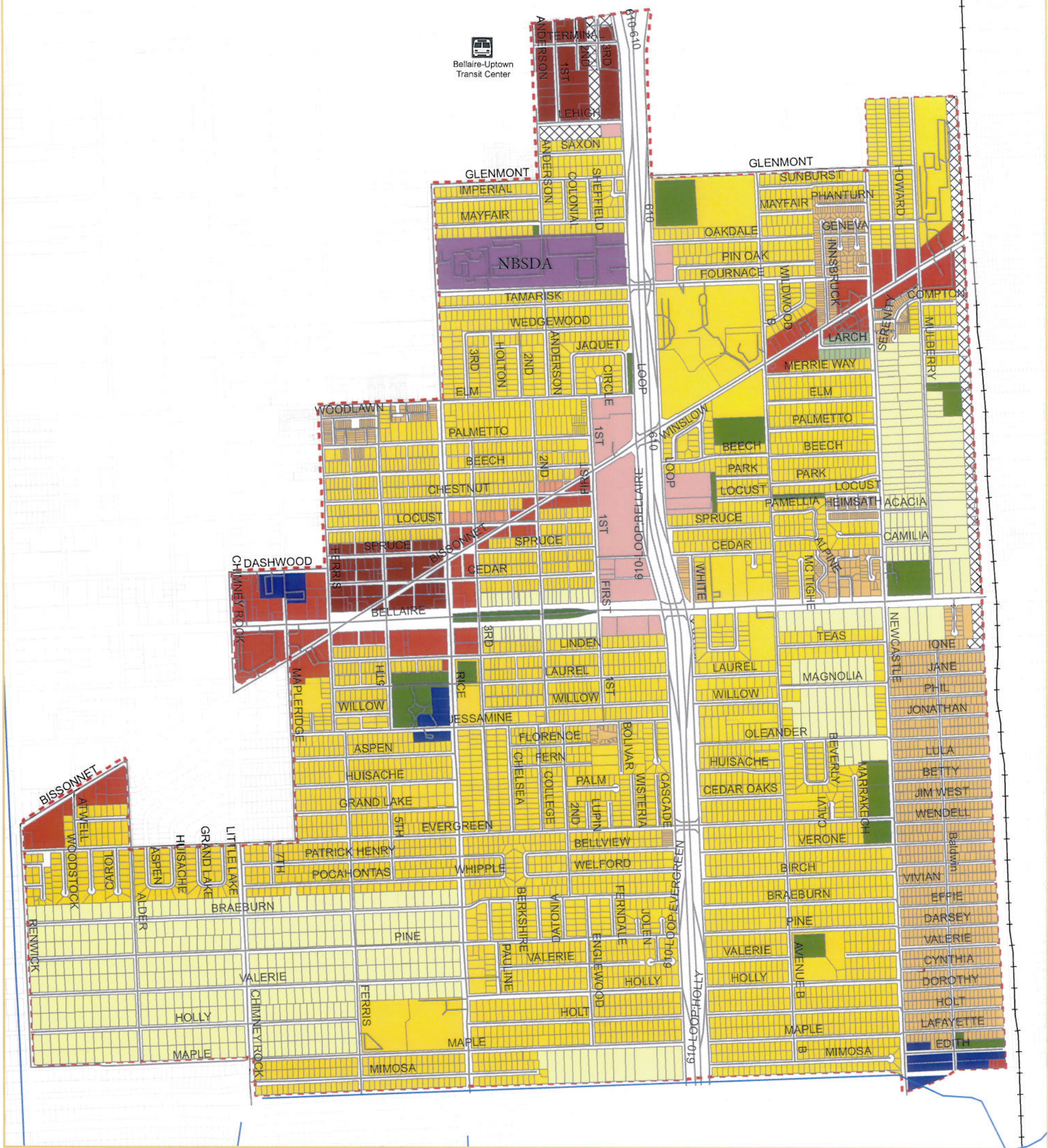
Whether pursued through conventional development proposals or PD applications, the “clean slate” redevelopment opportunity afforded by this significant land turnover in north Bellaire should also lead to creative site planning and design that incorporates green and open space areas into any proposed development. The tree-lined frontage and pathway along the north side of Fournace Place should also be maintained and extended all the way



to South Rice Avenue. Residential areas could include orientation of homes toward landscaped mews (open space common areas), with rear garage access, to yield a true sense of neighborhood for residents living in relatively close quarters compared to many other areas of Bellaire. In non-residential and mixed-used areas, pocket parks, landscaped plazas and seating areas, and generous plantings within street rights-of-way would provide the desired green amenities and area enhancement. Additionally, landscaping plans across the entire Special Development Area should have a core objective of extending the signature urban tree canopy of Bellaire into the interior of the area—including through targeted installation of mature oaks from off-site rather than only through smaller plantings for future growth.



# Proposed Future Land Use Map



Attachment: Proposed Future Land Use Map (2187 : Consideration-Comp Plan)

MAP 2.2: FUTURE LAND USE & CHARACTER

- Suburban Residential
- General Residential
- Small Lot Residential
- Residential-Office Mix
- Corridor Mixed Use
- Urban Village
- Suburban Office
- N.Bellaire Special Development Area(NBSDA)
- Government
- Redevelopment Area
- Parks
- Transmission Lines

- Water
- Railroad
- Streets
- Parcels
- City Limits

Note: A comprehensive plan shall not constitute zoning regulations or establish zoning boundaries.

1 in = 1,250 ft





## Ashley Parcus

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**From:** cxlewis [REDACTED]  
**Sent:** Monday, January 16, 2017 5:50 PM  
**To:** Ashley Parcus  
**Cc:** Bill Thorogood; Andrew Friedberg; Trisha Pollard  
**Subject:** Comments on North Bellaire Special Development Area

P&Z Commissioners

I listened to the entire video of your December 13 discussion on the North Bellaire Special Development Area. I was startled at how quickly you turned from saying you would protect the residential areas surrounding this property to how much tax revenue you could draw if you changed zoning to accommodate more expensive developments. At the public hearing, Lynn McBee was right: the purpose of zoning should be to draw desirable developments, not to make money at the expense of the residents. Using a speculative sale price of \$250 million (for a property that HCAD appraises at <\$50 million) to rule out less ambitious developments that are compatible for the City of Homes is a false tenet ... let the market bear what Bellaire zoning allows.

A new residential area is a good idea to help connect the north end to the rest of Bellaire, whether it's townhouses or single-family homes. In my view, continued use as a business park is still acceptable. However, the quality of the neighborhoods north and south of Fournace Place would be destroyed by some of your proposals.

- Apartments are built and then abandoned. You only have to look as far as Glenmont and Sharpstown to see that the premium apartments of a few years ago are decayed and often empty. Apartments in Bellaire, even though you think Bellaire is smarter, would be an experiment at our expense. Just because you squeezed them into zoning for the UV-T, without notifying us because we were more than 500ft away, doesn't justify doing it again. You need to take them out of UV-T zoning.
- High-rises, whether condos or flats, require abandoning current height restrictions, impinging on the character of the neighborhood. They would overshadow backyards on Mayfair St.
- Retail is unpredictable and generates a lot of traffic when we already can't get in and out of our neighborhood at certain hours anyway. This area is surrounded by shopping and eating opportunities in Houston. We don't need more.
- Restaurants spread aromas to the neighbors, which make you hungry if you like the food and are obnoxious if you don't like the cuisine. There's no control over smells wafting. Also food trash attracts rodents and wild dogs from Walmart/Westpark, which invade our neighborhood and kill cats -- they could kill other pets and threaten people.
- On Dec. 13, Bill Thorogood suggested extending Anderson through to Fournace to alleviate traffic problems. That only transfers traffic to the residential street and invites the City of Houston to put Anderson through from Westpark. When the 610 feeder backs up, as it does for 5-6 hours every day, southbound traffic would just cut through on Anderson via Lehigh. I was here in the 90s when we closed the streets at the loop to stop cut-through traffic and the hazards that it brings to the neighborhood.

Gary Mitchell of Kendig Keast Collaborative doesn't live in Bellaire and is obviously not familiar with our neighborhood. Someone should tell him that Bellaire is not a little town in the middle of nowhere that needs 'diversity' to include all levels of housing and all services that the residents might desire. We have plenty of apartments and businesses available in Houston. In answer to your question on January 10, there are already new townhouses on the market on Glenmont and recently built apartments and on Rice across from Walmart. More retail and apartments are not what we need here.

Attachment: Written Comments-2.14.17 (2187 : Consideration-Comp Plan)

Please put a priority on the City of Homes and don't open up the Comprehensive Plan to apartments, high-rises, retail, and restaurants for the Chevron property.

Thank you.

Catherine Lewis  
1112 Colonial St

**Ashley Parcus**

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**From:** Ed Umbricht [REDACTED]  
**Sent:** Monday, February 06, 2017 10:27 PM  
**To:** Ashley Parcus  
**Cc:** tgood316@comcast.net; Trisha Pollard; cxlewis@hal-pc.org  
**Subject:** Fwd: Comments on North Bellaire Special Development Area

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

P&Z Commissioners:

I have been watching and listening also. I wondered why the 'for sale' sign on Chevron's property had been up for almost a year before anyone started commenting on it. I echo Catherine Lewis' urging that you do the right thing(s) with the zoning of that property. Do the right things for the constituents living and voting in Bellaire. Do the right thing for Bellaire's personality. Don't be tempted or persuaded by intangible promises of imaginary futures. Please don't roll the dice.

A neighbor and I were speculating how many homes it would take to make the Chevron property a worthwhile investment. We speculated about how many homes could fit. I used Edison Park as an example. Edison Park is a gated community on Glenmont half way between Anderson and South Rice. We were planning how many Edison Parks a developer could fit on the Chevron property and where to put them and still leave the office building and adequate parking. We planned where green space could be, if any, and how folks could get in and out. But in the midst of that, my neighbor said, "Bellaire is not a Master Planned Community." Without intending it as an argument, I replied, "But that's what zoning can provide for."

Bellaire needs a master plan that is more specific than the current comprehensive plan, and that does not need to be updated so often and is not so open to influence by developers. Bellaire doesn't need to attract development, we need to control it. Use the knowledge and experience we've gained to accept that our communities should drive the development in and around Bellaire instead of allowing development drive the communities. Recognize, embrace, and add our support that development of properties around Bellaire can both support our communities and allow more space, including green space, in the city for our communities. Developments in Meyerland and around the new Walmart demonstrate that Bellaire does not need to be a stand alone city. For example, we don't need to support large retail spaces in the city of Bellaire.

There is already enough traffic cutting through Bellaire. We can't relieve traffic by putting bigger houses on smaller lots and adding cars. We need to get the cars off Bellaire streets. Bellaire already has too many areas where larger traditional lots are being cut up into smaller, higher density housing. Smaller lots (in general or on average) and higher density housing has never been Bellaire's primary personality. It's ok to consider changing that personality, but I suggest that level of change should be for a larger body of constituents to decide. Zoning changes that affect Bellaire's personality cut to the heart of Bellaire's plans, whether they are master or comprehensive

Attachment: Written Comments-2.14.17 (2187 : Consideration-Comp Plan)

plans. They affect a far greater percentage of our population than folks within 500 feet of a zone. At the very least, changing the city's personality should require broad, affirmative communication than piecemeal zoning changes can provide.

We need to stop planning on a Westpark Transit Center. There have never been enough busses or bus route intersections on Westpark to support a transit center near South Rice. Metro has redesigned their routes twice in the last five years and there still aren't any significant routes or intersections near Bellaire except for the Bellaire Transit Center.

Mass transit supports lifestyles, not business. People need to live near mass transit to make the transit effective. Embrace the mass transit we already have. If Bellaire needs higher density housing, it needs to be near the Bellaire Transit Center. A bold move would be to very quickly promote that HEB should move its development to a portion of the Chevron property. That would give them room to build a more traditional store with fewer risks and to spread out the store's traffic and parking, making both easier to manage. Zone their vacated area to support higher density housing. Then zone the property between Auntie Pasto's and Bank of America, or all the way from South Rice to Bissonnet to be one of those multi-purpose spaces that support both business and higher density housing. Bellaire could also support the transit center with area parking for cars and bicycles.

Bellaire doesn't need apartments, but if we choose to allow apartments or condominium communities, they should be near the Bellaire Transit Center, and coincidentally, near Loftin and Paseo Parks and the Bellaire Recreation Center. Note how, in the long run, such concepts could affect the property and personality along Bellaire Blvd. It's not automatically a bad thing. And It makes more sense than higher density housing along Fournace.

Please do not open our neighborhoods to the risks associated with additional traffic. Certain streets in Bellaire need to be 'through streets'. Many more of them do not. Opening streets to more traffic spreads the traffic out, but does not genuinely reduce traffic congestion. Sidewalks reduce some risks, but cannot eliminate them. The only ways out of North Bellaire around the Chevron property is east or west on Fournace or Gulfton, or north or south on South Rice. North of Chevron, we can take the back roads to the West Loop feeder. South of Chevron, they can also take back streets to the West Loop feeder. But it's all the same congestion, whether it's on Fournace, South Rice, or the West Loop. Moving the traffic to the neighborhoods increases risks in the neighborhoods, but it cannot significantly relieve the congestion.

Please be careful not to allow gated communities. There are already two gated communities north of Glenmont. Folks in our neighborhood understand how the gates divide us. Folks on the inside take full advantage of their private spaces as well as our public space. On the outside, we're fenced out. We don't need any more gated communities.

Please add your influence to the folks redesigning the intersection of 610 and US59. The southbound tunnel leading Post Oak Road under US59 to the southbound 610 feeder between Westpark and Fournace was designed to reduce the congestion south of the Galleria. It worked, but it moved the congestion to Bellaire. Together with the 610 exit ramp to Fournace, it made that intersection one of the most confusing in the area. An apparent low rate of accidents does not mean

the intersection is safe. The elimination of the right turn only at Fournace eased some, but almost every car through that intersection has to change lanes either before they get to the light or immediately past it. There should be a southbound entrance ramp to 610 north of Fournace, not an exit ramp. It will ease confusion and frustration on the feeder. It will also ease confusion and frustration on the main lanes of 610 that folks experience struggling to get to or avoid the Fournace exit lanes.

We do not need a wall on 610. A wall is a maintenance nightmare. There is not a single freeway wall in the city of Houston that has aged well. The current vision of a wall of greenery far exceeds the value and appearance of a physical wall.

Please don't automatically disregard ideas like these. Take a few minutes to flesh them out, ask a few questions, and check for merit in the ideas. Then argue, accept, or reject the merits, not just the ideas.

Thanks,  
Ed Umbricht  
4900 Mayfair St.

**Ashley Parcus**

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**From:** Andrew Friedberg  
**Sent:** Tuesday, February 07, 2017 6:05 PM  
**To:** Ashley Parcus  
**Cc:** Winfred Frazier; John McDonald; Paul Hofmann  
**Subject:** Fw: Regarding John Monday's comments

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

Ashley,

With Ms. Tucker's permission, I'm forwarding the below for P&Z's consideration and inclusion in the record of their proceedings. Thanks!

Andrew

**Andrew S. Friedberg**  
**Mayor | City of Bellaire, Texas**  
 7008 S. Rice Ave. | Bellaire, TX 77401  
 (713) 662-8222 | Fax: (713) 662-8212  
[afriedberg@bellairetx.gov](mailto:afriedberg@bellairetx.gov)

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**From:** Debbie Tucker [REDACTED]  
**Sent:** Tuesday, January 17, 2017 2:36 PM  
**To:** Andrew Friedberg; Gus Pappas  
**Subject:** Regarding John Monday's comments

I want to let you guys know that I LOVE John Monday's comment about wishing to develop the Chevron property into a smaller lot/smaller home opportunity for seniors in our community. This topic comes up frequently among my friends in Bellaire who are approaching retirement age or are already there. A lot of us want to stay here, but the upkeep on a large lot/home is extremely time consuming and cost prohibitive. Problem is, there is no where near here to go.

If you have not seen what Austin did with the the old Mueller Airport space when the airport moved to Bergstrom, it is really inspiring to see what can be done when mixed development and income are the goal.

Please take something like this into serious consideration.

Thank you, Debbie Tucker

--  
 Debbie Tucker  
 [REDACTED]  
 [REDACTED]

Attachment: Written Comments-2.14.17 (2187 : Consideration-Comp Plan)



**Ashley Parcus**

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**From:** pamela Wogenstahl [REDACTED]  
**Sent:** Tuesday, February 07, 2017 6:48 PM  
**To:** Ashley Parcus  
**Subject:** Chevron Building issue:

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

Our City is a wonderful City that needs to look to the value of our Citizens not the value of "the tax base". We as Citizens have to watch our budget. I feel now that we as a Nation who now is headed by a person that understands Waste and misuse of funds. I now that how the Government worked is: If you don't spend it you lose it.... Well, I am voting anyone out of Council that doesn't believe in OUR Community and Citizens within. This includes the voting of "High Density" zoning, Retail Zoning or Industrial Zoning. We need more Single Family Zoning with more Tree lined streets, Sidewalks, Lighting and Street flood prevention! I believe your past votes did not put our livelihood at fiduciary precedent....I believe that many of your water flow decisions from what I hear from my neighbors has sent more water our way and backing up our water drainage system. All for funds to the City....I digress...I am TIRED of having to fight for our right in our own community to keep our community a "single family residence" community. If you have any questions to what I have stated, Please do not hesitate to contact me, Pamela Wogenstahl [REDACTED]

Attachment: Written Comments-2.14.17 (2187 : Consideration-Comp Plan)



**Ashley Parcus**

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**From:** Glenn Becker [REDACTED]  
**Sent:** Wednesday, February 08, 2017 9:32 AM  
**To:** Ashley Parcus  
**Subject:** Chevron

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

I look at every city truck that goes by and it says what the city of Bellaire was all about "city of homes". I was proud of that when I bought my home on Tamarisk over thirty years ago. Made me feel like I was part of a family. Raised both my boys here. But that is slipping away. We're no longer family, we're willing to throw it all away for more tax money. Traffic is a mess with the exception of Condit elementary our once one of the highest rated high school in Texas has dropped off in scholastic merit.

We took Bellaire pool and turned it into water world not for our kids. We made a deal with city of Houston to open it to the public. More bang for the buck.

No longer a quite peaceful place for the people of the city of homes. No, we got more traffic and a zoo in a pool. City of homes

Sent from my iPhone

Attachment: Written Comments-2.14.17 (2187 : Consideration-Comp Plan)

**Ashley Parcus**

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**From:** Mike Peterson [REDACTED]  
**Sent:** Wednesday, February 08, 2017 10:23 AM  
**To:** Ashley Parcus  
**Cc:** Andrew Friedberg; Trisha Pollard  
**Subject:** Comments on Chevron Property

Ashley Parcus, Secretary for Bellaire Planning & Zoning Commission

CC: Andrew Friedberg, Mayor of Bellaire

Trisha Pollard, Bellaire Councilman Liaison to Planning & Zoning Commission

My wife, Judith, and I are concerned about the possible rezoning of the 30-acre tract of land that is currently occupied by Chevron.

Our home is at 4807 Tamarisk and is one block south of the southern boundary of the property. We are actually sorry to see them move as they are good neighbors! Just about the only time their existence impacts us is if we want to drive to 610 on Fournace at rush hour as their staff are leaving for home. Otherwise, they don't have much of an impact on the neighborhood. They have a beautiful tree-lined sidewalk along Fournace which we hope is retained by the new owners of the property. They keep their property litter-free. So, unlike many commercial properties, there isn't trash along Fournace that originates from their employees.

We recognize that a 30-acre parcel in Bellaire is a developer's dream! However, if the new owner wants to change its usage, we have a very strong preference to see the property developed as single-family dwellings rather than commercial or high-rise condominiums or apartments or some combination. When we bought in Bellaire 3.5 years ago, the fact that it is a city of homes with strong zoning was an important factor in our deciding where to buy.

According to my rough calculations, keeping lot size at the standard Bellaire lot size and allowing for infrastructure like streets, etc., a developer could easily put 100 single-family residences on a 30-acre block of land. While it would be convenient to see a grocery store or nice restaurants within easy walking from our home, there are readily available stores and restaurants especially with the new commercial development on South Rice around the Sam's Club and Walmart properties. We don't need more of them here!

Please weigh the concerns and desires of the many neighboring property owners that were voiced at the public hearing in your deliberations regarding any request for rezoning by the new property owners. I was there and heard very strong support for the use of this property to be restricted to single-family homes.

Thanks for your consideration of our input in your deliberations. Keep Bellaire the “City of Homes”.

Donald and Judith Peterson

4807 Tamarisk Street  
[REDACTED]  
[REDACTED]

**Ashley Parcus**

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**From:** Bryan <[REDACTED]>  
**Sent:** Wednesday, February 08, 2017 12:53 PM  
**To:** Ashley Parcus  
**Cc:** Andrew Friedberg; Trisha Pollard  
**Subject:** Classification of the Chevron Property

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

It is almost decision time... I have spoken in the last few months at the city council & P&Z meetings in an effort to make an impression on those in charge... Now I feel I need to make another plea here...

Please, please, please allow only single family homes on that property. This is a golden opportunity for the city to engage those of us bordered by Fournace, South Rice, 610, & Westpark & allow us to feel more connected to the city instead of feeling like an isolated area that usually gets ignored except at property evaluation time.

As I mentioned at the last P&Z meeting, the people on Ave B, Valerie, Newcastle, Pine, Jane, etc do not care what goes on that property because it does not affect them. Please listen to the people whose lives it does affect. We have felt cut off from the rest of the city for a long time because of the Chevron complex. Single family homes is what we want for our neighborhood.

Thanks for your time & I hope your understanding.

Bryan Wogenstahl  
4910 Mayfair

Attachment: Written Comments-2.14.17 (2187 : Consideration-Comp Plan)

**Ashley Parcus**

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**From:** cxlewis [REDACTED]  
**Sent:** Wednesday, February 08, 2017 12:21 PM  
**To:** Ashley Parcus  
**Cc:** Trisha Pollard  
**Subject:** P&Z Vote on North Bellaire Special Development Area

P&Z Commissioners

Mike Axelrad was absent from the Public Hearing on the North Bellaire Special Development Area. He should recuse himself from the vote on the change in the Comprehensive Plan since he did not hear north Bellaire neighbors' comments or see the room full of those concerned about the changes.

Catherine Lewis  
1112 Colonial St

Attachment: Written Comments-2.14.17 (2187 : Consideration-Comp Plan)

Cynthia Freeman  
5009 Mayfair  
Bellaire, TX 77401

February 8, 2017

To: City of Bellaire  
Planning & Zoning

I live at 5009 Mayfair Street. I was unable to attend the Planning & Zoning public hearing in January regarding the rezoning of the Chevron property. Those who attended the hearing in January probably expressed many of the same concerns I have about the development of the property, but I wanted to briefly add my voice.

My property is adjacent to the Chevron property. The old Chevron lab that was demolished was directly behind my house. Obviously, re-development of the property could have a significant effect on me, depending on what is done. One thing that has concerned me is the possibility of mid-rise or high-rise development that would block the sunlight. I hope that P&Z will limit building height and/or implement other safeguards to prevent that from occurring. Also, I would like to see an extended building setback for the Chevron property, to help ensure sufficient light, enhance privacy, and provide openness and adequate green space. Additionally, I hope there will be regulations that address potential noise problems, depending on how the property is used.

Obviously, traffic is a concern. Congestion in the area is already problematic at the beginning and end of the Cunningham Elementary school day, as well as during the afternoon rush hour. I'm not sure what regulations could be implemented in zoning to address traffic. That is probably something that should be considered when the new owner makes a proposal for development. I have heard much speculation on what should or will be done with the Chevron property. I could add my wishes to the list, but it seems pointless. Ultimately, only the purchaser of the property will determine how the property will be developed, subject to whatever zoning restrictions are implemented by Bellaire.

The bottom line is that our neighborhood has co-existed peacefully with Texaco/Chevron for the 25 years I've lived here. I hope that P&Z will do whatever is possible to head-off the potential disturbance of our neighborhood as a result of the redevelopment of that property.

On a final note, I will add that I have been concerned for some time about the monitoring wells and remediation that has been taking place on the Chevron property. Again, I'm not sure how P&Z is or would be involved in this, but I would appreciate some information and comment from the City about the environmental issues involving that property.

Sincerely,



Cynthia Freeman

Attachment: Written Comments-2.14.17 (2187 : Consideration-Comp Plan)

**Ashley Parcus**

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**From:** Mary [REDACTED]  
**Sent:** Wednesday, February 08, 2017 5:02 PM  
**To:** Ashley Parcus; Trisha Pollard  
**Subject:** Comment on public hearing -Chevron Property

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

To Whom It May Concern:

Re-zoning the Chevron property to allow for apartments, multi-family dwellings or townhouses is not in the best interest of Bellaire residents. There are already 40 or more brand new townhouses recently built on Glenmont between S. Rice & Anderson. They are not selling like hot cakes!! There is no reason to believe even more townhouses flooding the market will attract homeowners willing to pay sufficient value to substantially increase the tax base. Instead, townhouse will eventually go out of style or simply not be in demand and unlike homes that can easily torn down and rebuilt because they are on sufficient acreage, they will deteriorate and become an eyesore.

Apartments and multi dwelling homes will just drastically increase the burden on our already overburdened and overcrowded schools, including high school! Plus such transient residents will not be invested in the community.

Thank you!  
Mary Livingstone

Attachment: Written Comments-2.14.17 (2187 : Consideration-Comp Plan)

**Planning and Zoning  
Commission**

City Council Chambers, First Floor of  
City Hall  
Bellaire, TX 77401



Meeting: 02/14/17 06:00 PM  
Department: Development Services  
Category: Report  
Department Head: John McDonald  
DOC ID: 2193

**SCHEDULED  
ACTION ITEM (ID # 2193)**

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**Item Title:**

Approval of the Commission's Report and Recommendation to City Council regarding proposed amendments to the Comprehensive Plan and Future Land Use Map, with regard to the future redevelopment of the property locally known as the Chevron property.

**Background/Summary:**

Attached is a draft report as a starting point for the Commission to finalize its recommendations to City Council regarding the proposed amendments to the Comprehensive Plan.

**ATTACHMENTS:**

- Memo-Comp Plan (PDF)





## CITY OF BELLAIRE

### Planning and Zoning Commission

February 15, 2017

To: Mayor and City Council  
 From: Win Frazier, Chairman, Planning & Zoning Commission  
 CC: John McDonald, Director of Community Development  
 Subject: Report and Recommendation on proposed amendments to the City of Bellaire's Comprehensive Plan and Future Land Use Map, with regard to the future redevelopment of the property locally known as the Chevron property.

On January 10, 2017, the Planning & Zoning Commission held a public hearing on the proposed amendments to the City of Bellaire's Comprehensive Plan and Future Land Use Map, with regard to the future redevelopment of the property locally known as the Chevron property. The amendment was requested by the Director of Development Services, as the exit of Chevron provides the City with an opportunity to move away from the business park and office designation that is currently called out within the Comprehensive Plan, and open it up to other options that may be more compatible with the character of Bellaire.

Notifications regarding the public hearing were mailed out to all addresses within 500 feet of the property in question. Any and all persons desiring to be heard in connection with the proposed code amendments were invited to speak before the Commission. Nineteen (19) members of the public spoke during the public hearing, and two (2) submitted written comments. The following concerns were voiced:

- Creation of a thoroughfare/Increased traffic in the area
- The allowance of multi-family developments
- The allowance of retail businesses
- Zoning based on tax base
- Destruction of the neighborhood character
- Impact on property values
- Infrastructure/Utilities in the area
- Unfair treatment when compared to the rest of the City
- The personal involvement of any Commissioners with the sale or purchase of the property

Ten (10) additional written comments were received after the close of the public hearing.

Attachment: Memo-Comp Plan (2193 : Memo-Comp Plan)

**RECOMMENDATION**

The item was on the agenda for consideration at the Commission's February 14, 2017 meeting. After due consideration and discussion, the Commission found that the proposed amendments to the Comprehensive Plan and Future Land Use Map were necessary to encourage future redevelopment of the site, while also applying parameters that will address sensitivities of the area, such as residential protection. Based on these findings, the Commission voted \_\_\_\_\_ to recommend approval of the code amendments to City Council.

**VOTE OF THE COMMISSION**

**Members present and voting FOR this recommendation to City Council:**

**Members present and voting AGAINST this recommendation to City Council:**

**Members Absent:**

## Planning and Zoning Commission

City Council Chambers, First Floor of  
City Hall  
Bellaire, TX 77401



Meeting: 02/14/17 06:00 PM  
Department: Development Services  
Category: Presentation  
Department Head: John McDonald  
DOC ID: 2191

### SCHEDULED INFORMATION ITEM (ID # 2191)

#### **Item Title:**

Presentation of the City of Bellaire's Draft Five Year Capital Improvement Plan (CIP), presented by Michelle Jordan, Project Manager.

#### **Background/Summary:**

**Why:** City Ordinance Chapter 24-402 states that the City Manager shall propose the draft Capital Improvement Program (CIP) to the Planning and Zoning Commission for review and comment on the consistency of the program with the adopted Comprehensive Plan.

**What:** The CIP is a planning tool to identify the future infrastructure improvement needs throughout the City in order to maintain asset value and ensure the quality of life that Bellaire citizens expect. It allows City leaders to identify the costs of these needs and to provide assumptions for the fiscal forecast that will allow for the implementation of the CIP.

*Chapter 24 Definition - The capital improvement program shall serve as a means for systematically reviewing proposed capital projects to ensure coordination of expenditures and development. The program shall tie together the timing, location and financing of proposed capital projects, shall encourage the development of such projects in scheduled stages, and shall provide the public with an understanding of future needs and development activities to be undertaken by the City of Bellaire.*

The CIP Team, made up of City Staff and Consultants, developed the following purpose of a City Capital Improvement Program:

**Focus Attention of Community Goals & Needs-** Capital projects can be brought into line with the city's objectives, allowing projects to be prioritized based on need. Furthermore, the CIP can be used as an effective tool for achieving the goals set forth in the city's Comprehensive Plan.

**Allow for an Informed Public-** The CIP keeps the public informed about the future capital investment plans of the city and allows them to play a more active role in the process.

**Encourages More Efficient Program Administration-** By enhancing the level of communication among the various departments implementing capital improvement projects, the city is able to better coordinate efforts, avoiding redundancy and potential conflicts. Work can be more effectively scheduled and available personnel and equipment can be better utilized when it is known in advance what, when, and where projects will be undertaken.

**Identify the Most Economically Sound Means of Funding Projects-** Through proper planning, the need for bond issues or other revenue production measures can be foreseen and action can be taken before the need becomes so critical that emergency financing measures are required. By fiscally constraining all five-years of the CIP, the city is able to

identify projects without a viable funding source and work to put in place sources of funding.

**Enhance the City's Credit Rating-**Dramatic changes in the tax structure and bonded indebtedness can be avoided with proper planning that allows the city to minimize the impact of capital improvement projects. By keeping planned projects within the financial capabilities of the city, we are able to preserve our credit rating and make the city more attractive to business and industry.

**Help to Plan for Future Debt Issues** -The city last held a general obligation bond election in November 2016.

**Define the Impact of Master Plans & Studies-** Based on history, the master plans conducted by the city help to identify the path forward and define the direction for each particular discipline, whether it is thoroughfare planning, facility planning or water & wastewater planning. Through proper coordination the necessary planning will lead to successful endeavors as the city grows and the improvements identified become a necessity.

**The DRAFT Capital Improvement Plan (CIP)** is a comprehensive program that projects the capital needs of a community. It is a cyclical process that estimates the needs for a set number of years. The CIP beyond the year adopted (FY2017) does not appropriate any funds for the projects listed; it is just a guideline for planning and each year is reviewed and modified where needed. In some cases projects can be completely removed and/or revised from the plan.

**When:** The draft CIP is submitted to the City Council as part of the annual budget. The Planning & Zoning Commissions comments will be forwarded to City Council as part of this process. This year the City Manager will present the FY2018 budget in July. The City Council will consider approval of the FY2018 proposed projects later in the summer. The future year projects are developed and are subject to change. The CIP is a fluid document as we gather information on affordability of projects. The City's CIP Team continues to plan the future outlook of CIP projects and works towards an implementation plan to be considered by City Council each year.

**Format:** The CIP categorizes projects as follows: Facilities, Parks & Open Space, Water & Wastewater, and Streets & Drainage. A description and proposed dollar amount is provided.

**Funding Sources:** The City has several funding sources to consider. The City Council has the final approval on all funding for all projects. It is the City Manager's objective to identify and propose potential funding sources. The broad categories of funding sources are defined below:

*Existing Bond Authority* - Referendum has been passed and approved by the voters.

*New Bond Authority* - Requires a new bond referendum.

*CIP Fund Balance* - The Enterprise and General Operating Funds provide the resources for the CIP to fund identified projects. These funds are carryover from the previous fiscal year.

*Current Year Revenues* - The Enterprise and General Operating Funds provide resources for the CIP to fund identified projects. Current Revenues are defined as new appropriation for the fiscal year in which that project has been programmed. This does not guarantee funding for that year but identifies a potential funding source depending on the overall needs of those operating funds.

*METRO* - The City receives a portion of sales tax to fund mobility projects within the City. These funds are used for the City's Pavement Maintenance Program and other mobility projects as identified. They are restricted for transportation projects as defined in the City's Congestion Mitigation/Traffic Management Agreement with METRO via Ordinance 12-050.

*Enterprise Current Revenues* - The City uses the Enterprise Operating Fund to resource capital improvement projects where it is affordable.

*Other* - This can be defined as any outside entity that provides alternative funding to include: Grants, Donations, etc.

**Recommendation:**

No action at this time. This is simply a presentation and introduction to the CIP. The official CIP submittal from the City Manager will occur at the March meeting.

**ATTACHMENTS:**

- FY 18-22 CIP 2-10-2017 P&Z (PDF)

Five Year Capital Improvement Plan								
<b>** Unaudited balances and transfers - See note below.</b>	<b>FY 2017 Adopted</b>	<b>FY 2018 Planned</b>	<b>FY 2019 Planned</b>	<b>FY 2020 Planned</b>	<b>FY 2021 Planned</b>	<b>FY 2022 Planned</b>	<b>Beyond FY 2022</b>	<b>FY 2018- Future Total</b>
<b>General Fund CIP</b>								
<i>Beginning Balance - General Fund</i>	\$ 250,000	\$ -	\$ (370,000)	\$ (419,999)	\$ (469,999)	\$ (519,999)		
<i>Beginning Balance - Rebuild Bellaire - Cash Facilities Cash</i>	\$ 751,051	\$ 751,051	\$ 751,051	\$ -	\$ -	\$ -		\$ 751,051
<i>Beginning Balance - ROW Fund - Restricted Funds</i>	\$ 351,200	\$ 351,200	\$ 351,200	\$ 351,200	\$ 351,200	\$ 351,200		\$ 351,200
<i>Transfer in From General Fund</i>	\$ 250,000	\$ 425,000	\$ 640,000	\$ 300,000	\$ 50,000	\$ 100,000		\$ 1,515,000
<i>Transfer in From General Fund for Pavement Maintenance Program</i>	\$ 800,000	\$ 800,000	\$ 800,000	\$ 800,000	\$ 800,000	\$ 800,000		\$ 4,000,000
<i>METRO Revenue for Pavement Maintenance Program</i>	\$ 1,200,000	\$ 1,200,000	\$ 1,200,000	\$ 1,200,000	\$ 1,200,000	\$ 1,200,000		\$ 6,000,000
<b>Total Resources</b>	<b>\$ 3,602,251</b>	<b>\$ 3,527,251</b>	<b>\$ 3,372,251</b>	<b>\$ 2,231,201</b>	<b>\$ 1,931,201</b>	<b>\$ 1,931,201</b>		<b>\$ 12,993,105</b>
<b>Mulberry Park - Restroom Facility</b>		\$ 200,000						\$ 200,000
<b>Holly Street Esplanade - Additional amenities and plantings for the Holly Street Esplanade Project</b>			\$ 50,000	\$ 50,000	\$ 50,000	\$ 100,000		\$ 250,000
<b>South Rice Esplanade Improvements - Improvements to the four esplanades along South Rice at Bellaire Boulevard and Bissonnet St. Project to include design and construction of mow strips, additional planting, edging, mulch, and other landscape improvements.</b>		\$ 120,000						\$ 120,000
<b>Bellaire Family Aquatic Center Pool Area Improvements - Improve pool amenities by adding additional shade structures for patrons around the pool deck. Replace the concrete blocks under the waterslide feature with a flat deck and proper drainage. Add additional decking around the pool to accommodate the needs of the pool patrons as it pertains to daily use and aquatic programming needs.</b>	\$ 150,000							\$ -
<b>Playgrounds, Shade Structures, and Park Amenities - Provides annual funding to address city-wide replacement and/or purchase of new playground equipment, shade structures and park amenities.</b>	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000				\$ 300,000
<b>Park Signage Master Plan and Implementation - Includes all signage used in City of Bellaire Parks.</b>	\$ 50,000	\$ 100,000	\$ 100,000	\$ 100,000				\$ 300,000
<b>Community Pathways Master Plan - City-Wide Pathways Master Plan to coordinate with the City's nodes and parks as well as surrounding pedestrian and bike systems.</b>	\$ 75,000							\$ -
<b>Pavement Management Program - The City of Bellaire's Pavement Management Program is geared toward improving the overall quality of the roadway systems by repairing pavement failures and distresses. The City's goal is to bring the streets maintained by the City up to an acceptable level of service and keep them there through an aggressive and comprehensive maintenance program.</b>	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000		\$ 10,000,000
<b>Decorative Standard for Major Streets (FY 2017 Newcastle St. Pilot Project) - This project will look to combine goals of better street lighting, additional trail lighting, use of LED lighting options, and a decorative standard for major streets throughout the City. The initial project will focus on Newcastle St. Future phases may focus on other major streets and high-traffic areas. A different decorative standard for lower-traffic/residential streets may be chosen to follow this project with common design considerations in mind. An element of customization will be explored to potentially tie in with other City projects. This project is in collaboration with CenterPoint Energy.</b>	\$ 75,000	\$ 75,000						\$ 75,000

**The CIP beyond FY 2018  
does not appropriate any funds for projects listed; it is a guideline for planning.**

**Attachment: FY 18-22 CIP 2-10-2017 P&Z (2191 : CIP)**

Five Year Capital Improvement Plan								
<b>** Unaudited balances and transfers - See note below.</b>	<b>FY 2017 Adopted</b>	<b>FY 2018 Planned</b>	<b>FY 2019 Planned</b>	<b>FY 2020 Planned</b>	<b>FY 2021 Planned</b>	<b>FY 2022 Planned</b>	<b>Beyond FY 2022</b>	<b>FY 2018- Future Total</b>
<b>Flood Plain Hazard Mitigation Plan</b> - The existing Flood Hazard Mitigation Plan will be revised to update the flood risks and identify mitigation efforts. This plan would possible future projects to reduce flood risks.	\$ 50,000							\$ -
<b>Impound Lot Relocation and Build Out</b> - Relocate current police department impound lot from Bellaire Town Square to public works service center.		\$ 100,000						\$ 100,000
<b>City-Wide Signage Enhancements Project</b> - This project will authorize a new standard for City signage with the use of a black powder-coated pole and cap. Decorative options for major streets and high-profile areas may be examined for implementation as well. The estimated budget assumes 4,000 poles will be replaced over the course of 4 years with some use of a contractor for large installations. City crews will maintain signs and replace with the new standard as needed for maintenance and assist with large installations when possible.		\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000			\$ 200,000
<b>Park Upgrades after Municipal Facilities Project</b> - Once facilities are completed landscaping and trails will be addressed within the Bellaire Town Square footprint that was impacted by the construction of the new facilities.			\$ 100,000					\$ 100,000
<b>Update to the Facilities Master Plan</b> - Update to the City wide facilities master plan will include Public Works, Library, and ADA programming. The previous master plan informed projects at the City Hall / Civic Center and the Police / Court buildings. This update will allow for planning efforts related to facilities not addressed in the 2017 Bond referendum.		\$ 50,000						\$ 50,000
<b>Signature Corner Design</b> - Conceptual Designs have been provided for the corner of S. Rice Avenue and Jessamine. Construction would fall under new bond authority funding. Funded by RBB Cash.			\$ 751,050					\$ 751,050
<b>Permanent Restroom Facility</b> - Provide a permanent restroom facility at Lafayette Park.			\$ 200,000					\$ 200,000
<b>Loftin Park Irrigation System</b> - Irrigation system for the existing trees and turf located within Loftin Park.			\$ 90,000					\$ 90,000
<b>Ware Park</b> - Picnic pavilion design and construction at Ware Park.				\$ 50,000				\$ 50,000
<b>Paseo Park West Expansion</b> with future relocation of transit center. ROW Restricted funding. Resolution 11-10 - Policy for Acquisition and Development of Parkland has the following restriction of use - Resolution reads as follows: ("Development" shall be generally defined to include the purchase, delivery, installation, and other necessary expenditures associated with new park, features/equipment/benches, fields, structures and/or facilities, and infrastructure (such as, but not limited to, pathways, driveways, cabling and wiring, drinking water fountains, water features, lighting, and landscaping). Expenditures associated with the maintenance or replacement of existing park features, equipment, structures, facilities, and/or infrastructure cannot be paid for with or reimbursed from said restricted funds.)							\$ 351,200	\$ 351,200
<b>Total General Fund CIP</b>	\$ 2,500,000	\$ 2,795,000	\$ 3,441,050	\$ 2,350,000	\$ 2,100,000	\$ 2,100,000		\$ 12,786,050
<b>Total Ending Balance</b>	\$ 1,102,251	\$ 732,251	\$ (68,799)	\$ (118,799)	\$ (168,799)	\$ (168,799)		\$ 207,055

**The CIP beyond FY 2018  
does not appropriate any funds for projects listed; it is a guideline for planning.**

**Attachment: FY 18-22 CIP 2-10-2017 P&Z (2191 : CIP)**



Five Year Capital Improvement Plan								
<i>** Unaudited balances and transfers - See note below.</i>	FY 2017 Adopted	FY 2018 Planned	FY 2019 Planned	FY 2020 Planned	FY 2021 Planned	FY 2022 Planned	Beyond FY 2022	FY 2018- Future Total
<b>Enterprise Fund CIP</b>								
Beginning Balance	\$ 155,000	\$ 155,000	\$ 155,000	\$ 155,000	\$ 155,000	\$ 155,000		
Transfer in From Enterprise Fund	\$ 400,000	\$ -	\$ 100,000	\$ -	\$ 75,000	\$ -		
<b>Total Resources</b>	<b>\$ 555,000</b>	<b>\$ 155,000</b>	<b>\$ 255,000</b>	<b>\$ 155,000</b>	<b>\$ 230,000</b>	<b>\$ 155,000</b>		
<b>Rehabilitation of the Renwick Ground Storage Tank</b> - This project involves the blasting and recoating of the 1,000,000 gallon water storage tank on Renwick. A recent inspection indicated this tank is in need of rehabilitation work in order to preserve the functionality of the tank. Design and preliminary work took place in FY 2016, and the construction phase will be part of the FY 2017 budget.	\$ 400,000							\$ -
<b>Wendell Lift Station</b> - Improvements to the lift station infrastructure.			\$ 100,000					\$ 100,000
<b>Central Water Plant Electrical Upgrades</b> - This project will address some remaining electrical equipment items at the Central Plant that are in need of replacement. The main components involved include the electrical bus and motor starters for the booster pumps.					\$ 75,000	\$ 560,000		\$ 635,000
<b>Total Enterprise Fund CIP</b>	<b>\$ 400,000</b>	<b>\$ -</b>	<b>\$ 100,000</b>	<b>\$ -</b>	<b>\$ 75,000</b>		<b>\$ -</b>	<b>\$ 175,000</b>
<b>Total Ending Balance</b>	<b>\$ 155,000</b>	<b>\$ 155,000</b>	<b>\$ 155,000</b>	<b>\$ 155,000</b>	<b>\$ 155,000</b>		<b>\$ -</b>	<b>\$ 620,000</b>

The CIP beyond FY 2018  
does not appropriate any funds for projects listed; it is a guideline for planning.

Attachment: FY 18-22 CIP 2-10-2017 P&Z (2191 : CIP)

Five Year Capital Improvement Plan								
<b>** Unaudited balances and transfers - See note below.</b>	<b>FY 2017 Adopted</b>	<b>FY 2018 Planned</b>	<b>FY 2019 Planned</b>	<b>FY 2020 Planned</b>	<b>FY 2021 Planned</b>	<b>FY 2022 Planned</b>	<b>Beyond FY 2022</b>	<b>FY 2018- Future Total</b>
<b>Bond Funds</b>								
Existing Bond Authority	\$ 12,560,000							
Approved Bonds for Better Bellaire 2016	\$ 31,050,000	\$ 10,150,000	\$ 12,650,000	\$ 130,000				
2019 Bond				\$ 9,500,000	\$ 14,500,000	\$ 13,000,000		
<b>Total Resources</b>	<b>\$ 43,610,000</b>	<b>\$ 10,150,000</b>	<b>\$ 12,650,000</b>	<b>\$ 9,630,000</b>	<b>\$ 14,500,000</b>	<b>\$ 13,000,000</b>		
<b>Streets and Drainage</b> - Includes complete street and related drainage infrastructure replacement.	\$ 7,000,000	\$ 6,000,000	\$ 7,000,000	\$ 6,000,000	\$ 6,000,000	\$ 8,000,000		\$ 33,000,000
<b>Sidewalks</b> - Design and construction of sidewalks throughout the City.	\$ 2,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000		\$ 5,000,000
<b>New Municipal Buildings</b> - Funding for the construction of the new city hall/civic center and new police/municipal courts buildings.	\$ 18,160,000							\$ -
<b>Water Line Improvements</b> - Includes approximately 55,000 linear feet of water line replacement distributed over three years. The annual projects will be developed using a prioritization derived from the most recent condition assessment as well as operational issues along the way. FY 2017 includes design and construction.	\$ 3,500,000	\$ 3,000,000	\$ 4,500,000					\$ 7,500,000
<b>Wastewater Line Improvements</b> - Includes approximately 4,500 linear feet of wastewater line replacement spread over a five year period which began in FY 2016. The annual projects will be developed using a prioritization derived from the most recent condition assessment as well as operational issues along the way.	\$ 150,000	\$ 150,000	\$ 150,000	\$ 130,000				\$ 430,000
<b>Performance Contract Project</b> - Upgrade all water meters in the City and incorporate automated metering infrastructure. Provide wastewater system upgrades, including improvements to the aeration system, digesters, main lift station, disinfection system, return activated sludge pumps, and flow control.	\$ 12,800,000							\$ -
<b>Library</b> - Design and construction for new Library building.				\$ 500,000	\$ 4,000,000			\$ 4,500,000
<b>Other Parks</b> - Additional needs at other parks in the COB system, including restrooms, lighting, parking lots, and various other amenities.				\$ 1,000,000				\$ 1,000,000
<b>Public Works Building</b> - Funding for land acquisition, design, and construction of a new Public Works Building.				\$ 1,000,000	\$ 3,000,000			\$ 4,000,000
<b>Evergreen Park</b> - Per the Evergreen Park Master Plan, this project includes design and construction of the Park.				\$ 500,000	\$ 4,000,000			\$ 4,500,000
<b>Total Bond Fund CIP</b>	<b>\$ 43,610,000</b>	<b>\$ 10,150,000</b>	<b>\$ 12,650,000</b>	<b>\$ 10,130,000</b>	<b>\$ 18,000,000</b>	<b>\$ 9,000,000</b>	<b>\$ -</b>	<b>\$ 59,930,000</b>
<b>Total Ending Balance</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ (500,000)</b>	<b>\$(3,500,000)</b>	<b>\$ 4,000,000</b>	<b>\$ -</b>	<b>\$ -</b>

**The CIP beyond FY 2018  
does not appropriate any funds for projects listed; it is a guideline for planning.**

**Attachment: FY 18-22 CIP 2-10-2017 P&Z (2191 : CIP)**

Five Year Capital Improvement Plan								
<b>** Unaudited balances and transfers - See note below.</b>	<b>FY 2017 Adopted</b>	<b>FY 2018 Planned</b>	<b>FY 2019 Planned</b>	<b>FY 2020 Planned</b>	<b>FY 2021 Planned</b>	<b>FY 2022 Planned</b>	<b>Beyond FY 2022</b>	<b>FY 2018- Future Total</b>
<b>UNFUNDED PROJECTS</b>								
Way finding and Entryway Markers - Provide physical improvement intended to provide visual definition including way finding signage. Including a possible new logo and design color scheme. Allowing both commercial and City service connection.							\$ 300,000	\$ 300,000
Signature Corner Design and Construction - Conceptual Designs have been provided for the corner of S. Rice Avenue and Jessamine							\$ 3,000,000	\$ 3,000,000
Zindler Park - Upgrade / Automate Ball Field Lights & Netting							\$ 500,000	\$ 500,000
Zindler Park - Upgrade / Automate Tennis Court Lighting							\$ 400,000	\$ 400,000
Zindler Park - Rec. Center Renovation Design - Programming and design of key improvements to the Bellaire Recreation Center Building				\$ 120,000				\$ 120,000
Zindler Park - Rec Center Renovation Construction					\$ 800,000			\$ 800,000
Zindler Park - Concession Stand Renovation			\$ 50,000					\$ 50,000
Community Pathways Master Plan Implementation - Pathways master plan implementation					\$ 1,500,000			\$ 1,500,000
Feld Park Renovation Design - Park improvements including parking lot, sidewalks and paths, fencing and sports fields/courts				\$ 150,000				\$ 150,000
Feld Park Construction - Park improvements including parking lot, sidewalks and paths, fencing and sports fields/courts					\$ 900,000			\$ 900,000
Mulberry Park - Replace Tennis Fencing, Upgrade / Automate Lighting					\$ 400,000			\$ 400,000
Mulberry Park - Upgrade / Automate Ball Field Lighting					\$ 500,000			\$ 500,000
Mulberry Park - Parking Lot Replacement							\$ 450,000	\$ 450,000
Vic Driscoll Park - Pathway Lighting							\$ 50,000	\$ 50,000
Trolley Esplanade Renovation - Improvements to include general and specialized lighting, sidewalks and paths, drainage, signage and interpretive graphics, and trolley area improvements in Paseo Park.							\$ 1,000,000	\$ 1,000,000
<b>Total Unfunded</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 50,000</b>	<b>\$ 270,000</b>	<b>\$ 4,100,000</b>		<b>\$ 5,700,000</b>	<b>\$ 10,120,000</b>

**\*\*Unaudited balances and transfers: General Fund balances and transfers are based upon the current fiscal forecast and will change during the development of the CIP.**

**The CIP beyond FY 2018  
does not appropriate any funds for projects listed; it is a guideline for planning.**

**Attachment: FY 18-22 CIP 2-10-2017 P&Z (2191 : CIP)**