

CITY OF BELLAIRE TEXAS

PLANNING AND ZONING COMMISSION

APRIL 11, 2017

Council Conference Room and Council Chamber
6:00 PM

Workshop & Regular Session

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.

A. WORKSHOP SESSION**I. Call to Order & Announcement of Quorum****II. Review and discussion of the City Manager's proposed draft of the 2018-2022 Capital Improvement Plan, under the authority given to the Commission by City Ordinance Chapter 24-402.****III. Adjournment****B. REGULAR SESSION****I. Call to Order & Announcement of Quorum****II. Approval of Minutes from Past Meetings**

1. Planning and Zoning Commission - Regular Session - Mar 14, 2017 6:00 PM

III. Reminder to citizens desiring to address the Commission**IV. Public Hearings**

Docket # SUP-2017-01-Public Hearing on an application filed by Moody Soliman, on behalf of Prestige Automotive for a Specific Use Permit, as required by Chapter 24, Planning & Zoning, Section 24-536 Corridor Mixed-Use District, B. (2) d), to allow for the operation of an automobile service station at 5012 Bissonnet St, located in the CMU Zoning District.

1. Presentation of the Public Hearing Process**2. Presentation by the Applicant****3. Staff Findings****4. Public Comments**

- a. **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. If a speaker wishes to yield their time to another speaker, a total of six (6) minutes will be allotted. If additional time is not yielded, the time limit may be extended to five (5) minutes at the discretion of the Chair, with the consent of the Commission.**

5. Rebuttal by the Applicant**6. Questions from the Commission****7. Invitation for Written Comment, if applicable****8. Closure of the Public Hearing**

V. General Public Comments

- 1. 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)

1. Docket # Z-2017-01, 02-Consideration of an application filed by Todd Blitzer of Mirador group, to amend the City of Bellaire Code of Ordinances, Chapter 24, Planning and Zoning, Section 24-534 D., to include a reduction in the minimum site area for a planned development requirement within the R-5 Residential District to one (1) acre, and to amend the Official Zoning Map to remove 4301 Bellaire Boulevard from the Bellaire Boulevard Estate Overlay District (BBEOD). This property is currently located within both the R-5 Residential District and the BBEOD.
2. Approval of the Planning and Zoning Commission's Report and Recommendation to City Council regarding the proposed zoning amendments at 4301 Bellaire Boulevard.
3. Approval of the Planning and Zoning Commission's Report and Recommendation to City Council regarding the Draft 2018-2022 Capital Improvement Plan.

VII. Committee Reports**VIII. Correspondence****IX. Requests for New Business, Announcements, or Comments**

- 1. Staff liaison report on the status of projects previously addressed by the commission as well as projects for future meetings.**
- 2. The Chairman shall recognize any Commissioner who wishes to bring New Business to the attention of the Commission. Consideration of New Business shall be for the limited purpose of determining whether the matter is appropriate for inclusion of a future Agenda of the Commission or for the referral to staff for investigation**

X. Adjournment



CITY OF BELLAIRE TEXAS

PLANNING AND ZONING COMMISSION

MARCH 14, 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 6:02 PM, and announced that a quorum was present consisting of the following members:

Attendee Name	Title	Status	Arrived
Jonathan Saikin	Commissioner	Present	
Mike Axelrad	Commissioner	Present	
Winfred Frazier	Chairman	Present	
Bill Thorogood	Commissioner	Present	
Marc Steinberg	Commissioner	Present	
Dirk Stiggins	Vice Chairman	Present	
S. Lynne Skinner	Commissioner	Present	
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 - Jan 10, 2017 6:00 PM

RESULT: APPROVED [6 TO 0]
MOVER: Marc Steinberg, Commissioner
SECONDER: Dirk Stiggins, Vice Chairman
AYES: Saikin, Frazier, Thorogood, Steinberg, Stiggins, Skinner
ABSTAIN: Axelrad

2. Planning and Zoning Commission - Regular Session - Feb 14, 2017 6:00 PM

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

3. Planning and Zoning Commission - Workshop Session - Feb 21, 2017 6:00 PM

Minutes Acceptance: Minutes of Mar 14, 2017 6:00 PM (II. Approval of Minutes from Past Meetings)

RESULT:	APPROVED [6 TO 0]
MOVER:	Mike Axelrad, Commissioner
SECONDER:	Dirk Stiggins, Vice Chairman
AYES:	Axelrad, Frazier, Thorogood, Steinberg, Stiggins, Skinner
ABSTAIN:	Saikin

III. REMINDER TO CITIZENS DESIRING TO ADDRESS THE COMMISSION

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

IV. PUBLIC HEARINGS

Public hearing on an application filed by Todd Blitzer of Mirador group, on behalf of Dallas Christian College, to amend the City of Bellaire Code of Ordinances, Chapter 24, Planning and Zoning, Section 24-534, R-5 Residential District, D. Planned Development, to Include a reduction in the minimum site area for a planned development requirement within the R-5 Residential District to one (1) acre; and to amend the Official Zoning Map to remove the property more commonly known as 4301 Bellaire Boulevard from the Bellaire Boulevard Estate Overlay District (BBEOD). This property is currently located within both the R-5 Residential District and the BBEOD.

1. Presentation of the Public Hearing Process

Mr. McDonald explained the public hearing process to the public.

2. Presentation by the Applicant

Todd Blitzer, Mirador Group-Mr. Blitzer mentioned that 4301 Bellaire Boulevard has been on the market for a significant amount of time and other proposals have come forward previously for amendments to the property, which were denied. He stated that the property is currently located within the R-5 Zoning District and the Bellaire Boulevard Estate Overlay District (BBEOD). Mr. Blitzer stated that the piece of property is sandwiched between the Boulevard Green Planned Development, which is not part of the BBEOD, and the railroad tracks, as well as commercial developments and power lines on the east side, making the property undesirable for a single-family home. Mr. Blitzer stated that his understanding is that no one has ever expressed any interest in purchasing the property for single-family use. He added that rather than turn to commercial, which is unacceptable within this district, he is proposing to remove the property from the BBEOD to allow for the construction of more than one single-family home on the property. He then explained that in order for there to be an allowance for multiple homes on the property it will need to be a planned development (PD), just like the Boulevard Green development, however, the current regulations within the R-5 Zoning District require a minimum site area of 2 acres for a PD. Mr. Blitzer stated that their second request is to reduce that minimum requirement from 2 acres to 1 acre. He mentioned that the granting of these requests would allow for the property to be redeveloped in a way that is more aesthetically pleasing than what is currently there now. Mr. Blitzer pointed out that there is no project being brought forward at this time, they are simply attempting to lift some barriers that have been put on the property. He added that once a buyer has been identified, they would then have to come back before the Commission for approval of the specific project. Mr. Blitzer did give several examples of what types of projects could ultimately be proposed for the property, which included

site plans containing both detached single-family homes and town homes. He also added that additional parking would be included for each unit.

Brian Smith, President of Dallas Christian College-Mr. Smith informed the Commission that this church had been in the community for a long time and had been supporting Dallas Christian College for many years. He added that when the church closed they donated the property to the college to continue their legacy. Mr. Smith stated that this property was intended by the church, and by the college, to fund student scholarships and/or the improvement of dormitory facilities, therefore, Dallas Christian College is pursuing this option because many other routes have not been viable.

Mr. Blitzer added that this property, if left in the BBEOD, would be a single, isolated, residential home sandwiched between the PD and the railroad tracks and power lines.

3. Staff Findings

Mr. McDonald informed the Commission that this is a request for an update to the Official Zoning Map, which currently shows this property as being located within the R-5 Residential Zoning District, as well as the BBEOD. He added that the BBEOD came into play in 2002 when the Teas Property was trying to subdivide, in an effort to "encourage large residential development resulting in a grand boulevard of homes, schools, churches, and houses of worship, with homes facing Bellaire Boulevard." Mr. McDonald stated that the lot that is surrounded on three sides by residential, and on the east by power lines and a railroad track. He then explained that many of these lots were turned into PDs over the years. Mr. McDonald pointed out that the applicant is seeking relief for the property by requesting to take it out of the BBEOD, as well as to reduce the minimum site requirement for a PD within the R-5 Zoning District from 2 acres to 1 acre. He mentioned that the applicant is also asking for a reduction in the required average lot size from 5,000 to 3,000 square feet. Mr. McDonald pointed out that the average lot size of Boulevard Green is 4,500 square feet, which would not meet today's standards for a PD within R-5. He added that the purpose of a PD is to address unique situations with the land or development, in an effort to be able to pitch a project to the Commission and City Council for approval. Mr. McDonald mentioned that the applicant is seeking to open up those options for this site. He added that this property came before the Commission two years ago, with the proposal for a commercial project, which was ultimately pulled due to the denial of variances that were needed in order to do the project. Mr. McDonald informed the Commission that the calls that he has received on this property have been with regard to commercial and multiple unit residential, never about the construction of a single-family home.

4. Public Comments

- a. **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. If a speaker wishes to yield their time to another speaker, a total of six (6) minutes will be allotted. If additional time is not yielded, the time limit may be extended to five (5) minutes at the discretion of the Chair, with the consent of the Commission.**

Joy Hall-Ms. Hall stated that Boulevard Green was developed between 1980 and 1982, which was prior to the adoption of the BBEOD. She added that the applicant has mentioned that the property is not attractive for a single-family residence and that she does not agree with that statement. She also mentioned that there is a single-family home in the exact lot across Bellaire Boulevard from this lot. Ms. Hall stated that she understands that Dallas Christian College would like to get the

property sold and that the City would like to see it be redeveloped, however, the three things that concern her the most are the significant flooding issues in the area, off-street parking, and traffic.

Vic Gelsomino-Mr. Gelsomino agreed that flooding in the area is a big issue and is concerned that no one is taking that into consideration. He added that in his opinion, the City should turn the property into a detention pond to help alleviate flooding. He suggested that in order to do that, the price of the property be lowered, or that the City consider eminent domain. Mr. Gelsomino felt that the granting of this request will lead to a similar request for the properties on the other side of the street, which would lead to even greater flooding issues in the area.

Joy Puzon-Ms. Puzon stated that she would like the Commission to vote in favor of keeping the current zoning laws. She added that thankfully, she lives in Bellaire, which has zoning laws to protect the integrity of the City. Ms. Puzon felt that 4301 Bellaire Boulevard should not be rezoned to a PD. She added that the property may be less desirable, but is definitely not un-sellable in the current zone. Ms. Puzon mentioned that the seller claims that no one would want this property because of the proximity of the railroad tracks and power lines, however, if you drive down to the end of Mulberry, Lampton, or Lamont, and you will see multi-million dollar homes literally 15 feet away from the power lines. She pointed out that the most undesirable part of the lot is its selling price. She added that when the property was listed with Transwestern the asking price was \$1.9 Million. After almost 5 years of the property remaining on the market, and the Frankel Development Group taking over as realtor, the price has increased by \$600,000. Ms. Puzon stated that another consideration as to why the property has not been sold is due to the fact that it has never been marketed as a residential property. She informed the Commission that it is currently listed on Loop Net as a multi-family lot, which is in complete disregard for the current zoning laws. Ms. Puzon mentioned that the seller's greed should not be a reason why the City changes the zoning laws, and that allowing this property to be re-zoned for a PD sets a precedence for other properties along Bellaire Boulevard who want to be removed from the BBEOD and sell their lot at a higher price.

Steven Sheldon-Mr. Sheldon stated that if the options were to leave the property the way it is, as a dilapidated church building, or a well thought-out residential development, he would have to choose the latter. He stated that given the history, it seems as though no one is interested in buying this property to develop it as a single-family home, and that this request seems like a reasonable proposition. He then mentioned the flooding issue and stated that it seems as though the Commission would have the opportunity to require that the proposed project have the appropriate amount of drainage. Mr. Sheldon informed the Commission that he would be in favor of moving forward with what they have submitted in order to allow them to get to the next phase where there still is the opportunity to hear what the actual plan would be, and whether it would make sense for this site.

Wayne Dorris-Mr. Dorris stated that he is the treasurer of the home owner's group for Boulevard Green, and is proud to say that 12 of the 16 property owners were present to voice their concerns with the proposal. He added that they are universally opposed to any zoning variance, and very concerned about flooding and congestion.

Lynn McBee-Ms. McBee stated that the purpose of zoning is to protect the community to preserve land use to the benefit of its citizens. She added that it doesn't mean that we have to add to the tax base, but it does mean that you protect your residents. Ms. McBee felt that a PD is simply an excuse for an applicant to do what they want. She added that the reduction of a PD to a 1 acre requirement is a

betrayal, and suggested that instead the land be used for a meditation park, as there is a big need for it. Ms. McBee suggested that the best way for the church to leave a legacy is to create a meditation place, commemorating the past church, preserving quiet, green space, and trees.

Written Comments:

Mrs. Edwin Wolf Sr.-Mrs. Wolf stated that the Bellaire Boulevard Estate Overlay District with R-5 restrictions is inappropriate for the entire 4300-4400 block of Bellaire Boulevard. She added that on the south side of the boulevard the City has approved and granted special use status to 7 out of the 10 lots on the block, making all but 3 lots non-conforming. Mrs. Wolf stated that it is an outrage to contort these last remaining lots into the punitive restrictions of the suburban residential classification. She explained that her property was swept up into the BBEOD, and when the zoning was changed by the present Comprehensive Plan it made them victims of inappropriate zoning and literally resulted in a regulatory taking of their property. Mrs. Wolf added that she does not want to sell her property, simply preserve its future value and land use flexibility. She stated that it is obvious that because the City has already committed the majority of this block to non-conforming usage and the disadvantage of its proximity to the railroad tracks, that the goals of the overlay district cannot be achieved for this block. Mrs. Wolf felt that the BBEOD should start west of Newcastle Street and that the zoning on the block east of Newcastle be restored to their prior classification with planned development.

5. Response of Applicant

Mr. Blitzer stated that he understands everyone's concerns, and added that detention can be installed within the development to provide greater drainage than what is currently there now. He also mentioned that there would most likely be about double the amount of off-street parking than what exists on Boulevard Green. Mr. Blitzer added that the ingress and egress to the property would not be changing. He agreed with the public comment that there are other lots up against railroad tracks, but those are 5,000 square foot lots as opposed to this 46,000 square foot lot, and they are also not adjacent to the ice house and a railroad crossing. Mr. Blitzer pointed out that congestion would be a lot less for a small residential development than it would be if the church were still in session. He stated that a Traffic Impact Analysis (TIA) could be done to determine what the effects would be on the area.

6. Questions from the Commission

Commissioner Thorogood asked for clarification that the requested amendment would apply to all properties within R-5 Zoning Districts throughout the City.

Mr. McDonald confirmed that this would effect all R-5 Districts within the City.

Commissioner Thorogood questioned if this could be done better through a variance request if it wasn't within the BBEOD.

Mr. McDonald stated that technically they could apply for a variance, however, the standards for a variance are much higher.

Commissioner Thorogood asked Mr. McDonald if he has ever spoken with anyone regarding the development of one single-family home on the property in questions.

Mr. McDonald explained that the only interests have been with commercial uses and higher density residential developments.

Commissioner Thorogood asked for confirmation that the required setbacks for the property would be established by the PD.

Mr. McDonald confirmed that they would be set by the PD and would require review and approval from the Commission and City Council. He added that they would also do a TIA, and the drainage would be reviewed by the City's Engineer and Public Works Department.

Commissioner Thorogood asked Mr. McDonald if this property is within the 100 year floodplain and whether the structures would have to be elevated.

Mr. McDonald stated that he could not confirm it at the moment, but believed that the property is within the 100 year floodplain. He added that the development would have to be constructed one foot above the base flood elevation (BFE). He reiterated that the subdivision would be required to handle its own water, meaning that detention would be required as part of the development.

Commissioner Skinner asked how many acres the Boulevard Green subdivision consists of.

Mr. McDonald stated that it is less than three acres.

Commissioner Skinner was concerned that there would not be enough room for a fire lane if a subdivision was constructed at the 4301 Bellaire property.

Mr. McDonald explained that he has had conversations with the Fire Marshal, who has no concerns regarding that. He added that all homes would be sprinkled and there would be an access lane for emergency vehicles.

Commissioner Steinberg asked if there was an advantage to approving the requests this way versus including a specific project as well, and voting on everything at the same time.

Mr. McDonald explained that the previous application that was submitted for this property, although it was commercial, did include a specific project and caused it to be a very confusing, convoluted, and expensive process. He added that this time around he felt as though it would be better for the applicant to submit the requests in the order that they are required, instead of the Commission trying to approve a project based on rules that have not yet been adopted.

Commissioner Steinberg asked how many R-5 properties would be impacted by this change.

Mr. McDonald explained that no by-right changes are being made to the code. He added that most of the R-5 zoning districts have turned into town home developments, or PDs already, and therefore it would not affect those properties unless they were re-developed. He added that even so, any future PD would have to come before the Commission and City Council for approval.

Commissioner Axelrad asked if it would be possible for the Commission to request that detention within the subdivision be increased to take in more water than what is normally required.

Mr. McDonald stated that the Commission can ask for that, as part of the PD process.

Commissioner Saikin was concerned that approval of the current requests would open up the property to commercial uses.

Mr. McDonald explained that none of the requests are opening the site up to the allowance of commercial uses, as the property is still located within the R-5 Zoning District and the applicant is not proposing a change to that. He added that with regard to a PD, only residential would be allowed.

Chairman Frazier mentioned the Alder Circle PD and stated that a certain amount of water detention was required for the project.

Mr. McDonald agreed and explained that due to that PD there is actually more detention there now than what was there previously.

Chairman Frazier asked if a Traffic Impact Analysis (TIA) was completed for the previous project that was being proposed at 4301 Bellaire Boulevard.

Mr. McDonald explained that there was a TIA done, however, it would not be relevant to utilize for this proposal as it was prepared based on the fact that they were changing the ingress and egress of the property. He reiterated that another one would have to be prepared for any future project proposals for the property.

Chairman Frazier asked Mr. Blitzer if he had reached out to and/or communicated with the residents in the area.

Mr. Blitzer stated that he had spoken with Ms. Puzon several times.

Commissioner Saikin mentioned the comments that had been made regarding the fact that no one had contacted the seller or the City with the interest to build one single-family home on the property, and therefore questioned why the applicant would believe that there is a demand for multiple homes.

Mr. Blitzer agreed that at this point, no one is sure what the demand will be. He added however that obviously nothing is happening with the property the way that it is.

Commissioner Thorogood asked if all properties within the BBEOD would require notification if a property were to be taken out of the overlay district.

Mr. McDonald explained that it is just like with any other zoning amendment, only the properties within 500 feet of the property in question would be notified.

7. Invitation for Written Comments, if applicable

Mr. McDonald informed the Commission and the public that written comments would be accepted until 5:00 PM on April 5th.

8. Closure of the Public Hearing

Commissioner Thorogood mentioned that Mrs. Wolf's written comment stated that the present Comprehensive Plan modified the zoning in a way that resulted in the regulatory taking of her property. He pointed out that the present Comprehensive Plan did not modify this zoning, and that it was done by the BBEOD, which well preceded the

Comprehensive Plan. Commissioner Thorogood stated that he appreciates and respects Mrs. Wolf's letter, but wanted to point out that this was an inaccurate statement.

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

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

The public hearing was closed at 7:20 PM.

V. GENERAL PUBLIC COMMENTS

- 1. 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.**

There were no general public comments.

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

Chairman Frazier, with consent from the rest of the Commission, moved Current Business item #3 up to be discussed first.

1. Consideration of 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).

Mr. McDonald informed the Commission that this is the consideration item for the public hearing that was held at the February 14th meeting with regard to the allowance and use of pawn shops, head shops, and sexually oriented businesses (SOBs). He mentioned that there was a conversation during the public hearing regarding whether or not the proposed 100 foot buffer from a pawn shop to a residential property was adequate, and stated that staff had created a map to show the difference between a 100 foot and a 200 foot regulation. Mr. McDonald pointed out that the language specifically refers to a parcel of land, not the location of the actual business, therefore, he felt as though the 100 foot regulation would be adequate. He added that there was also a discussion about striking Section 24-1011, Definitions, (o) (3) in the language regarding SOBs, which would remove the exclusion of "any retail establishment where a minimum of sixty (60) percent of gross revenues are generated from the sale of wearing apparel to customers" from the definition of "enterprise." He mentioned that per the City Attorney, the deletion of this would not cause any legal implications for the City.

An original motion was put on the table by Commissioner Steinberg and seconded by Vice Chairman Stiggins to approve the amendment to the code.

Vice Chairman Stiggins asked what the legal nuances of striking Section 24-1011, Definitions, (o) (3) would be.

Attorney Petrov and Mr. McDonald explained that the deletion of that exclusion will not exclude the use, but simply hold it to higher regulations. Mr. McDonald added that the regulations are made stronger by taking that language out and allows staff to interpret whether or not a business would be considered a sexually oriented business, without having to calculate the percentage of sales on clothing items.

An amended motion was then made by Commissioner Saikin and seconded by Commissioner Axelrad to strike Section 24-1011, Definitions, (o) (3) in the language regarding SOBs.

Vote on the amended motion: 7-0.

Vote on the original motion to approved the proposed amendments, as revised: 7-0.

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

- Approval of the Planning and Zoning Commission's Report and Recommendation to City Council on proposed amendments to Chapter 24, with regard to the use and allowance of pawn shops, head shops, and sexually oriented businesses.

Mr. McDonald informed the Commission that a paragraph will be added on the Commission's decision to strike Section 24-1011, Definitions, (o) (3) of the proposed language in the regulations regarding SOBs.

Chairman Frazier stated that he will then sign the final and have staff send it out to the rest of the Commission.

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Marc Steinberg, Commissioner
SECONDER:	Mike Axelrad, Commissioner
AYES:	Saikin, Axelrad, Frazier, Thorogood, Steinberg, Stiggins, Skinner

- Review and discussion of the City Manager's proposed draft of the 2018-2022 Capital Improvement Plan, under the authority given in City Ordinance Chapter 24-402 ,with consideration given to projects outlined within the Comprehensive Plan and Beautification Conceptual Master Plan.

Mr. McDonald explained that the Commission had previously been presented with the 2018-2022 Draft Capital Improvement Plan. He stated that additionally, this year the Commission has the pleasure of considering projects outlined in the Terrain Studios Beautification Master Plan. Mr. McDonald informed the Commission that staff went through the Master Plan and took out the six items of "low hanging fruit", along with other suggested projects that were between 1 and 5 years. He added that those projects, along with their estimated costs, have been included in the CIP for the Commission's consideration. Mr. McDonald stated that Michelle Jordan is present to answer any questions that the Commission might have, and the Commission's final recommendation will be made at the April meeting.

Ms. Jordan informed the Commission that the CIP has not changed since it was presented to the Commission the previous month.

Mr. McDonald stated that for the most part, the projects listed on the CIP are the same as last year, with the new year added. He asked the Commission if there were any concerns or questions from the City Manager's list of projects. Mr. McDonald reiterated that there was originally \$500,000 in an unfunded project for infrastructure improvements within the UVT, which has since been pulled, however, street improvements within that area of the City will be included in the Bonds for Better Bellaire project.

Vice Chairman Stiggins mentioned that the CIP should show some amount of money, even if it is just an estimate, in future years (Beyond FY 2022) for water line and wastewater improvements, in an effort to let the public know that it will continue to be an ongoing project.

Mr. McDonald agreed that it is misleading, as it looks as though that project will be completed in 2022. He added that Michelle will take a look and see if that is something that can be added now, or if the Commission needs to simply include that as part of their report and recommendation to City Council.

Commissioner Thorogood suggested adding another column with those projections.

Chairman Frazier mentioned that the wastewater projections seem like very small numbers when compared to other line items and asked why that is the case.

Ms. Jordan explained that part of the decision making criteria that is used when preparing the CIP is taking a look at what the priorities are for the overall infrastructure of the City. She added that there is a constant balance that has been maintained between the amount of money that the City spends to take care of flooding issues versus other needs. Ms. Jordan stated that if the Commission feels as though they should be weighted differently then that is something that could be added to the recommendation to City Council.

Commissioner Thorogood mentioned the \$6 million allocated for the METRO Maintenance Program and asked if those funds have already been committed by METRO.

Mr. Jordan explained that it is an annual amount that comes every year through an agreement that the City has with METRO, which is based on tax revenues.

Mr. McDonald stated that the sales tax rate is 8.25% total by the state. He added that the state takes 6.25% off the top, the City gets 1%, and then METRO gets another 1%. Mr. McDonald informed the Commission that an agreement was met in which a percentage of funds generated go back to the small cities to be used on transportation and mobility projects.

Commissioner Thorogood mentioned that the general CIP shows an ending fund balance in 2018 of \$732,000. He asked if that should roll up to the beginning balance for 2019.

Ms. Jordan stated that it should, and that it is a math error.

Commissioner Thorogood mentioned that \$751,000 has been allocated for the signature corner and asked if that was for design only.

Ms. Jordan explained that it would be for design and some amount of construction. She added that because it has not been designed yet, it is unclear at this time how much construction the City could get for that amount.

Commissioner Thorogood mentioned the bond funds, and asked why the performance contract project is not listed in the 2018-forward line item.

Ms. Jordan explained that the funding that is in the "2017 Adopted" line are for projects that have been funded either by previous bond elections, or by the current bond election, where bonds were sold in fiscal year 2017. She added that the column on the right picks up all of the projects that would be funded by bonds sold and funded in 2018 or later.

Commissioner Axelrad also mentioned that the bond funds page dedicates line items and funding for a new public works building, improvements to Evergreen Park, a new library, etc. He added that as a resident, he feels that water line improvements are far more important than having a new library.

Ms. Jordan stated that she and the rest of the team would like input on the prioritization of projects. She added that there are a lot of differing opinions during the review of the CIP.

Mr. McDonald pointed out that \$500,000 may give you a two block project on street drainage, but the library services the entire community. He stated that it is all about trying to balance the City services.

Ms. Jordan mentioned that this is the reason why the City has started developing a bond program that would come online every three years. She added that the City is aware that the outstanding need for street and drainage improvement projects is much greater than the City would be able to secure in one bond election, or with one project.

Commissioner Axelrad asked what the life of those bonds will be.

Mr. McDonald stated that the life of the bonds is 30 years.

Commissioner Axelrad was concerned that the City will be continuously adding debt.

Mr. McDonald explained that the City is constantly paying off debt at the same time, so as it is adding, it is also subtracting.

Ms. Jordan added that the City also retires debt at a rate that is very close to what the additional debt would be incurred at.

Mr. McDonald stated that it is about trying to keep up with the needs of the City, while also keeping a politically acceptable tax rate.

Commissioner Saikin asked what "related drainage infrastructure replacement" means.

Mr. McDonald explained that this includes the installation of pipes into the ground, catch basins, flap gates, etc.

Commissioner Axelrad mentioned that some of the beautification projects are already included within the CIP, such as the signature design corner.

Mr. McDonald explained that the signature corner was being looked at prior to Terrain Studios being brought on. He added that the Beautification Master Plan included some similar ideas.

Chairman Frazier asked what the timetable looks like for any additional comments or questions that the Commission may have.

Mr. McDonald informed the Commission to send any questions, comments, or concerns to him and he would get those answers back to the Commission as soon as possible. He reiterated that in April, the Commission will need to vote on a recommendation to submit to City Council.

Vice Chairman Stiggins gave kudos to staff for the preparation of the CIP. He stated that it was much less confusing and a lot more transparent than in previous years, and that he appreciated all of the work that had been done to make it that way.

VII. COMMITTEE REPORTS

There were no committee reports.

VIII. CORRESPONDENCE

There was no correspondence.

IX. REQUESTS FOR NEW BUSINESS, ANNOUNCEMENTS AND COMMENTS

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

Mr. McDonald mentioned that H-E-B has closed its doors and will begin demolition soon. He also stated that he has received a site plan review for the Bellaire Town Center (the shopping center where Auntie Pastos is currently located) for the re-development of the site to include a new two-story building that would offer approximately 70,000 square feet of retail and office space. He mentioned that the project is being done by right, which means that it will not be coming before the Commission, and that it will be completed in phases, beginning on the west end where the bank was previously located.

Commissioner Steinberg asked if there would be a way for the City to require better water retention for the site.

Mr. McDonald explained that they will actually be reducing their lot coverage, so they will not have to mitigate for that. He added that they will still have to meet the City's requirements with regard to drainage, and will also have to address any current drainage concerns for the site, based on the City Engineer's review.

Commissioner Skinner asked if any mail outs would be sent to the surrounding residences.

Mr. McDonald stated that no mail outs will be sent due to the fact that it is a by-right development that will not require a public hearing.

Mr. McDonald informed the Commission that the police department and courts will be moving into City Hall beginning in July. He added that night court is held on Tuesdays, and will be located in the Council Chambers, therefore, it interferes with the monthly

Planning & Zoning Commission meetings. Mr. McDonald stated that beginning in July, P&Z meetings will move to the second Thursday of the month, at 6:00 PM.

Commissioner Thorogood asked about how long that would last.

Mr. McDonald stated that it would be for about a year and a half.

a. Changes to future meeting location and/or time

Mr. McDonald explained that beginning in July, City Hall will also be housing the Police Department and Courts. He added that night court is on Tuesday evenings and will be held in the Council Chambers, which poses a conflict for the Planning and Zoning Commission meetings. Therefore, beginning in July, the Commission will meet on Thursday nights. Mr. McDonald stated that they will still take place during the second week of the month, and will stay at 6:00 PM.

Commissioner Thorogood asked how long this change would last.

Mr. McDonald stated that he anticipates about a year and a half.

The Commissioners then asked about updates on Larch Lane and Mulberry Lane.

Mr. McDonald explained that

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

No new business was brought to the attention of the Commission, however, Chairman Frazier did remind everyone that Wine and Tapas will be held on April 1st. He urged everyone to purchase tickets to attend the event, which benefits Evergreen Park.

X. ADJOURNMENT

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

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

The meeting was adjourned at 8:20 PM.

**Planning and Zoning
Commission**

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



Meeting: 04/11/17 06:00 PM
Department: Development Services
Category: Public Hearing
Department Head: John McDonald
DOC ID: 2237

**SCHEDULED
ACTION ITEM (ID # 2237)**

Item Title:

Docket # SUP-2017-01-Public Hearing on an application filed by Moody Soliman, on behalf of Prestige Automotive for a Specific Use Permit, as required by Chapter 24, Planning & Zoning, Section 24-536 Corridor Mixed-Use District, B. (2) d), to allow for the operation of an automobile service station at 5012 Bissonnet St, located in the CMU Zoning District.

Background/Summary:

This public hearing is on a request for a Specific Use Permit to operate an automotive service station on the site of the old Volvos Only location, at the corner of Bissonnet and South Rice Ave. "Automotive service station" is permitted as a specific use under Sec. 24.536, B.(2),d). The applicant is not proposing any changes to the current site plan. Volvos Only has operated under a specific use permit (S-31), which was granted by Ordinance No. 92-012, and approved by City Council on March 2, 1992. Several conditions were placed on S-31, and a copy of the ordinance and those conditions are included in your packet.

Site Details

Property Owner: Purcell Family Partnership, Ltd.
Applicant: Moody Soliman, realtor

Location: 5012 Bissonnet, corner of Bissonnet and S. Rice Ave.

Legal Description: Lots 10 & 11 & TR 9, Block 24, Bellaire

Current Zoning: CMU, SUP # S-31
Requested Zoning: CMU with SUP
Future Land Use Map: CMU

Notice Information

Owners of property and Tenants within 500 feet: 105 letters mailed

Notification letters mailed: March 30 2017

Legal Notice published: March 28, 2017

Notification Signs Posted: March 25, 2017

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: CMU

Current Land Use: Commercial

Direction: East

Current Base Zoning: CMU

Current Land Use: Commercial

Direction: South

Current Base Zoning: CMU

Current Land Use: Commercial

Direction: West

Current Base Zoning: UVD

Current Land Use: Commercial

Recommendation:

This item is tentatively scheduled for consideration at the Commission's May meeting.

ATTACHMENTS:

- 5012 Bissonnet SUP Application (PDF)
- Ordinance 92-012 (PDF)

CITY OF BELLAIRE
RECEIVED

MAR 10 2017

DEVELOPMENT SERVICES

**Application for Special Use Permit For Prestige Automotive
With No Change to Existing Facilities
3/07/2017**

Following is the relevant section of the City Ordinance dealing with Special Use Permit.
Following each section is our application response.

Sec. 24-605. - Application for Specific Use Permit.

Any person desiring to petition for a specific use permit to this chapter shall be required to file an application in writing with the Planning and Zoning Official, accompanied by a nonrefundable application fee, in an amount established by the City Council of the City Manager, to defray the actual cost of processing the application. The application shall include the following information:

Attached is a check in the amount of \$1,055.00 for this application.

- (1) *The name and address of the applicatn; and in the event that the applicant is a partnership, the full name and address of the general partner, and in the event that the applicatn is a corporation, the full names and addresses of all officers, a statement as the state of incorporation, the name and address of the registered agent and the address of the registered office of the corporation;*

Name: Moody Soliman

Address: 4303 Village Forest Dr. Sugar Land TX, 77479

- (2) *The Section or Sections of this chapter authorizing a specific use permit:*
Since the zoning of this parcel is CMU, the relevant section ordinance dealing with specific use permits is, Sec. 24-536. CMU. Corridor mixed use district (CMU): Specific uses include "Transportation, automobile and related uses" in Sec. 24-536 (2-D)
Ordinance 14-013

- (3) *A legal description and street address of the property, which is the subject of the application;*

Street Address: 5012 Bissonnet Street, Bellaire, TX 77401

Legal Description: LTS 10 & 11 & TR 9 BLK 24 BELLAIRE

- (4) *A statement of ownership accompanied by a certificate from a title insurance company certifying ownership;*
Prestige Automotive is in the process of securing "an SUP contingent long-term lease" for the use of the property owned by Purcell Partnership
- (5) *A written description of the propsed specific use as provided for in this Code:*
No changes to the site improvements are being requested as a part of this application.

Attachment: 5012 Bissonnet SUP Application (2237 : PH-5012 Bissonnet St SUP)

The proposed specific use is a continuation of previous use under "Volvos Only", and as neighboring garages operating under the same Code. No auto body repairs nor auto paint.

- (6) *A written environmental assessment statement describing in general terms the impact of the development for which approval is sought and providing any specific information that the Planning and Zoning Official shall deem necessary:*
Since no changes are being made to the site, there should not be any adverse environmental impact to the site.
- (7) *Such other information or documentation as the Planning and Zoning Official, the Planning and Zoning Commission of the City Council may from time to time designate or which may be deemed necessary and appropriate to a full and proper consideration and disposition of the particular application:*

Thank you in advance for your assistance with this application. Please let me know if you need any additional information.

Best regards,



Moody Soliman

832-428-9998

moody@moodysoliman.com

Attachment: 5012 Bissonnet SUP Application (2237 : PH-5012 Bissonnet St SUP)

ORDINANCE NO. 92-012

AN ORDINANCE AMENDING CHAPTER 24 OF THE CODE OF ORDINANCES OF THE CITY OF BELLAIRE, TEXAS, ENTITLED "PLANNING AND ZONING REGULATIONS," ARTICLE IX, ENTITLED "SPECIFIC USE AMENDMENTS," DIVISION 2 THEREOF, BY ADDING THERETO A NEW SECTION 24-928, BEING THE GRANT OF A SPECIFIC USE AMENDMENT AND PERMIT S-31 TO JOHN PURCELL, INDIVIDUALLY, AND CARLOS HELANDER, OWNER OF CERTAIN PROPERTY LOCATED AT 5012 BISSONNET STREET IN THE CCD-1 ZONING DISTRICT, FOR THE USE OF SAID PROPERTY AS AN AUTOMOBILE REPAIR BUSINESS, SAID PROPERTY BEING LEGALLY DESCRIBED AS HEREIN SET OUT.

WHEREAS, the City of Bellaire, Texas, by Ordinance No. 91-092, duly enacted on the 2nd day of December, 1991, did call a joint public hearing before the City Council of the City of Bellaire, Texas, to be held on the 20th day of January, 1992, at 7:30 o'clock p.m. at the Bellaire Civic Center, 7008 South Rice Avenue, Bellaire, Texas, to hear any and all persons desiring to be heard on or in connection with any matter or question involving an application and request heretofore previously filed by John Purcell, individually, and Carlos Helander, owner of the subject property, for a Specific Use Amendment to Chapter 24 of the Code of Ordinances of the City of Bellaire, entitled "Planning and Zoning Regulations," Article IX thereof, entitled "Specific Use Amendments," Division 2 thereof, for an automobile repair business to be located at 5012 Bissonnet Street in the City of Bellaire, Texas, said property being located in the CCD-1 Zoning District; and

WHEREAS, notice of said joint public hearing having been duly given and published as required by law, said joint public

Attachment: Ordinance 92-012 (2237 : PH-5012 Bissonnet St SUP)

hearing was duly held on the 20th day of January, 1992, at 7:30 o'clock p.m., at which time and place all persons desiring to be heard were heard on or in connection with the application for a Specific Use Amendment to Chapter 24, Article IX, Division 2 thereof, as herein described; and

WHEREAS, the Planning and Zoning Commission of the City of Bellaire did, by letter from John Brentin, Chairman of the Planning and Zoning Commission, dated the 12th day of February, 1992, make a recommendation concerning the amendment of Chapter 24 of the Code of Ordinances of the City of Bellaire by the amendment of Article IX, Division 2 thereof, a copy of which report and recommendation is attached hereto and marked Exhibit "A"; and

WHEREAS, the City Council of the City of Bellaire did duly receive the report and recommendation of the Planning and Zoning Commission of the City of Bellaire and has been fully informed as to the facts and circumstances of the application as herein filed; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF BELLAIRE, TEXAS:

1. That Chapter 24 of the Code of Ordinances of the City of Bellaire, Texas, entitled "Planning and Zoning Regulations," Article IX, entitled "Specific Use Amendments," Division 2 thereof, is hereby amended by adding thereto a new Section 24-928, being the grant of a Specific Use Amendment and Permit S-31 to John Purcell, individually, and to Carlos Helander,

Attachment: Ordinance 92-012 (2237 : PH-5012 Bissonnet St SUP)

owner of said property, for an automobile repair business in the CCD-1 Zoning District on property legally described as:

A tract of land containing 0.2337 acres located in the James Blessing Survey, Abstract 162, Harris County, Texas, being Lots 9, 10 and 11 of Block 24 of the original subdivision of the Town of Bellaire, as recorded in Volume 3, Page 59, of the Harris County Map Records.

2. That the permit holder shall fully comply with the limitations and restrictions as herein set out, and any failure to do so shall constitute a breach of the conditions necessary for the continuation of the permit and cause the permit as herein granted to be null and void. Said conditions are:

- a. That all cars and vehicles remaining overnight shall be parked within an enclosed service bay or within a fenced area provided by the permit holder. Any automobiles dropped off by customers for repairs at any time other than normal business hours, which shall be defined as and include the hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, are excepted from this provision; however, the permit holder shall, as soon as practicable, take all steps necessary to cause such dropped off vehicles to be properly secured and screened.
- b. Prior to the commencement of operations as permitted under the terms of this permit, the permit holder shall erect an eight foot (8') screening fence on the north property line of the property as herein described to provide a visual barrier between the property as herein described and the adjacent day care center. The required screening fence shall be installed

commencing at the rear of the building on the west side of the property and continuing to the front building line on the east side of the property as delineated on the site plan as attached to the recommendation of the Planning and Zoning Commission which shall be a part of this permit. The required fence herein shall be constructed in such a manner as to provide for a one hundred percent (100%) visual barrier, and if at any time the fence shall fail to provide the total visual barrier as herein provided, the permit holder shall immediately cause the same to be replaced or repaired. The privileges extended under this permit may not be granted unless the required visual barrier is in place.

- c. The permit holders shall prepare and submit to the Building Official in conjunction with an application for a certificate of occupancy a plan for the reduction of all anticipated noise created by the normal operation of an automotive business so as to not constitute a nuisance to any other persons. The Building Official shall approve the plan, and such approval shall be a condition for the issuance of a Certificate of Occupancy. In the event the Building Official shall determine at any time that the previously approved plan is inadequate to insure for the protection of persons and property against noise to a degree to constitute a nuisance, then the Building Official shall give notice to the permit holders of the additional requirements that must be met, and the permit holders shall be required to complete said measures within ten (10) days thereafter. Failure to do so shall cause this permit to become null and void.

- d. No storage and/or display of merchandise or other property shall be permitted except in an enclosed structure.
- e. The permit holder shall at all times comply with the terms and provisions of the Code of Ordinances of the City of Bellaire, including, without limitations, requirements relating to signs, exterior storage of cars, parts or accessories, and requirements prohibiting sales of cars and boats, and any failure to comply shall constitute grounds for termination of the permit issued hereunder.
- f. The permit holders shall, as a condition of this permit, file with the Building Official a landscaping plan which shall generally describe the type of landscaping materials and plants to be planted within the permeable area adjacent to the street. As a condition for the maintenance of the permit as granted hereunder, the landscape materials as specified in the plan filed with and approved by the Building Official shall be maintained in a healthy, growing state, and if for any reason the condition of the landscaping and planting materials as required should deteriorate, the permit holders shall immediately replace the same in order to maintain full compliance with this requirement.
- g. All mechanical repairs of any type requiring more than thirty (30) minutes from beginning to conclusion shall be performed inside the building located upon the subject property.

3. That the permit granted hereunder shall expire at the expiration of three years from the date this Ordinance is

finally passed and approved and that upon the expiration of the permit as herein provided, all use of the property as permitted hereunder shall stop.

4. That the permit as granted herein shall be subject to such modification, suspension, revocation or other alteration as the City Council of the City of Bellaire shall deem necessary and reasonable and as properly adopted by ordinance at any date subsequent hereto.

PASSED and APPROVED this, the 2nd day of March, 19 92, by vote of 7 "AYE's" in favor and 0 "NO's" against.

Betty J. Janick
Mayor, City of Bellaire, Texas

ATTEST:

Roena Loftin
City Clerk

Attachment: Ordinance 92-012 (2237 : PH-5012 Bissonnet St SUP)



Planning and Zoning Commission

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



Meeting: 04/11/17 06:00 PM
Department: Development Services
Category: Amendment
Department Head: John McDonald
DOC ID: 2239

SCHEDULED ACTION ITEM (ID # 2239)

Item Title:

Docket # Z-2017-01, 02-Consideration of an application filed by Todd Blitzer of Mirador group, to amend the City of Bellaire Code of Ordinances, Chapter 24, Planning and Zoning, Section 24-534 D., to include a reduction in the minimum site area for a planned development requirement within the R-5 Residential District to one (1) acre, and to amend the Official Zoning Map to remove 4301 Bellaire Boulevard from the Bellaire Boulevard Estate Overlay District (BBEOD). This property is currently located within both the R-5 Residential District and the BBEOD.

Background/Summary:

On March 14, the Planning and Zoning Commission held a public hearing on two zoning applications filed by Todd Blitzer of Mirador Group, on behalf of Dallas Christian College, for the property located at 4301 Bellaire Blvd. The applicant first requests that the zoning map be amended to remove the property from the Bellaire Boulevard Estate Overlay District. Secondly, the applicant seeks an amendment to the Code of Ordinances, Chapter 24, Planning and Zoning, Sec. 24-534, R-5 Residential District, D. Planned Development to allow the following:

- Reduction in minimum project area from 2 acres to 1 acre
 - With average lot size reduced from 5,000 to 3,000.
- Adjustments to building lines
 - Minimum building lines proposed to be set by the planned development;
 - No building line within the PD can be closer than 5 feet to an adjacent property, now from 6
- Maximum site coverage from 60 percent of site area to "as established by approved site plan"

At the public hearing, Five (5) speakers expressed their opposition to the request. Their concerns included traffic, flooding, improper marketing, and the fear that the granting of this request would set a precedent for other properties in the area. One (1) member of the public spoke in favor of the application, and one (1) written comment, also in favor of the request, was read into the record. Thirteen (13) written comments have been received since the close of the public hearing and are included in your packet.

Recommendation:

What first needs to be understood, is that there is no project application under review and no project under consideration. This request, if approved, merely provides an opportunity for this Commission and the City Council to consider a broader allowance of residential development for 4301 Bellaire Boulevard. The adoption of this proposed amendment would only make three "by-right" changes to zoning that would affect this property:

1. A reduction of the front building line from 50 feet to 30 feet;
2. The allowance of two single-family residential lots on this property instead of one; and
3. The ability for a planned development application to be filed.

A question has come up regarding whether or not the property has been properly marketed or priced, but ultimately these are not land use questions. Nowhere in the zoning ordinance does it state how, for how long, or at what price a property must be listed for sale.

With regard to whether a future project would or would not negatively impact the existing residential development to the west of the property is a question to be addressed at such future date when a specific project has been submitted for review and consideration by the Commission. Items such as traffic and drainage are always purposely considered and reviewed, with the help of Public Works and the City Engineer, when a project is on the table.

A fact for consideration is that this is the only property in the BBEOD that is sandwiched between an existing planned development (multiple homes) and a utility easement. A speaker at the public hearing brought up the fact that the property directly across the street from 4301 Bellaire Boulevard is currently developed as a single family lot. While this is the case, that house is adjacent to a single family residential lot directly to its west. In fact, that entire section of the block is single-family lots. This lends a uniqueness to the property at 4301 Bellaire that no other property in the BBEOD faces. Therefore, the approval of this request would not set any sort of precedent to support any other property in the BBEOD, if such were to seek a similar request.

With the consideration of the above, the Director of Development Services recommends approval of the request to remove the property from the Bellaire Boulevard Estate Overlay District and to amend the Code of Ordinances, as proposed.

ATTACHMENTS:

- Zoning Request Change - 2017-02-07 (2) (PDF)
- Property Address Legal Description (2) (PDF)
- 4301 Bellaire Blvd - Amendment to Zoning (002)(PDF)
- Survey UPDATED - April 2014 (PDF)
- 16-158 - 4301 Bellaire Blvd - 14 Units (PDF)
- BBEOD AREA (PDF)
- 4301 Bellaire Boulevard Written Comments (PDF)



MIRADOR GROUP Architecture & Interiors

February 7, 2017

John McDonald
Director of Development Services
7008 S. Rice Avenue
Bellaire, Texas 77401

Re: 4301 Bellaire Blvd - Rezoning

Mr. McDonald,

Our client, the Dallas Christian College, currently owns the property with the closed church at 4301 Bellaire Boulevard in Bellaire located along the railroad tracks. They would like to request to make two (2) zoning changes to the current property in order to allow them to be able sell the land to a residential builder/developer.

Applicant:

Dallas Christian College
2700 Christian Parkway
Dallas, Texas 75234
972-241-3371

The two (2) proposed zoning Amendments are as follows:

1. Request that the Official Zoning Map be amended to remove 4301 Bellaire Blvd from the Bellaire Boulevard Estate Overlay District (BBEOD).
2. Request that Sec. 24-534, R-5 Residential District, D. Planned Development: Residential be amended to read as follows:.

Sec. 24-534. - R-5 Residential District.

D. Planned Development: Residential. Planned developments may be approved in this District under the amendatory procedures of this chapter, subject to the following restrictions and limitations.

- (1) Size and area:

6575 West Loop South
Suite 650
Bellaire, Texas 77401
713.626.4770

- a) Project area: A planned development in an R-5 Residential District shall have a minimum site of one (1) acres except in the event that a site of less than one (1) acre is bounded on one or more sides by town homes. In the latter instance the minimum size and area shall be that which is designated on the approved plat or plan of the planned development. In either event the project area shall have a minimum average equivalent lot size of 3,000 square feet;
 - b) Maximum building height: 2½ stories, except that cooling towers, roof gables, chimneys, radio and television antennas and vent stacks may extend for an additional height, the total not to exceed forty (40) feet above the average level of the base of the foundation of the building. Radio communications antennas for non-commercial service may not exceed sixty (60) feet above the average level of the base of the foundation of the building;
 - c) Minimum floor area per dwelling unit: 1,550 square feet;
 - d) Building lines:
 - 1) As established by an approved site plan for the planned development;
 - 2) No building line of any structure within the planned development district shall be located any closer than five (5) feet from the side lot line of any residential lot adjacent to the planned development district. In the event that any portion of the planned development site includes a corner lot, no such building line shall be located any closer than ten (10) feet to the right-of-way of the adjacent side street, designated as such on the approved plat of the planned development. Within the interior of the planned development district, zero lot lines are permitted for adjacent residential units; but in the event that the main residential units are separated, a minimum of eight (8) feet must be maintained between units;
 - 3) No building line of any structure within the planned development district shall be located any closer than ten (10) feet to the rear lot line of any adjacent residential lot;
 - 4) No contiguous building lines of structures having zero lot lines shall exceed two hundred (200) linear feet; and
 - 5) In no case shall any building line of any structure within the planned development district be located nearer than ten (10) feet to the street right-of-way of Bellaire Boulevard.
 - f) Maximum site coverage: As established by an approved site plan for the planned development.
- (2) Parking and driveways. Each home within the planned development district shall have a two (2) car garage; driveways shall be of such design as to accommodate two (2) vehicles totally on site. Within the planned development district, two (2) garages of neighboring dwelling units may share a common wall on a common lot line so long as the required eight (8) foot minimum distance is maintained between separated main residential structures;
 - (3) Screening. Screening shall be required between the planned development district and abutting property in commercial use, according to the specifications set forth in Section 24-513 of Division 1 of this Article;
 - (4) Landscaping. In addition to that landscaping which may be an integral part of the screening herein required, landscaping shall also be required for the purpose of providing an acceptable transition between the planned development district and surrounding lower density residential development.

4301 Bellaire –P & Z Amendment Requests
 February 7, 2017
 Page 3 of 3

Statement of the Need and Justification for the Proposed Amendment:

The site is currently zoned under Residential Zone R5, however, since it is on Bellaire Blvd, it is also a part of the Bellaire Blvd Estate Overlay District (BBEOD) which requires a minimum size lot of 25,000 sf. Due to the property's proximity to the railroad tracks, overhead powerlines and the depth of the property in the north/south dimension, selling the property as a single-family residence is not feasible as they have not had any success over the last number of years. Removing the property from the Bellaire BBEOD would allow them to consider having the property redeveloped into a residential Planned Development (PD).

The City of Bellaire ordinance requires that a Planned Development (PD) be a minimum of 2.0 acres. The site is 1.145 acres, less than the minimum required size. Thus, for this specific unique piece of property, our client would like to have the minimum PD size requirement reduced to a minimum of one (1) acre.

Statement as to the Conformity of the Proposed Amendment to the Comprehensive Plan:

One of the main goals of the City of Bellaire Comprehensive Plan is to preserve Bellaire Boulevard as a Boulevard of Homes. Currently, the property is a dormant church that abuts the railroad tracks and a powerline easement with powerlines overhead. Two previous attempts to redevelop the property into a commercial project were not well received by the neighboring properties, the citizens of Bellaire, nor were they consistent with the City of Bellaire Comprehensive Plan. Although the proposed lots are smaller than the desired large estates along Bellaire Boulevard, the proposed amendments will help to foster a residential development that will not only be consistent with the desired residential land use along Bellaire Boulevard, but the new residential structures will also help to buffer the train noise from the adjacent neighboring properties to the west.

Attached with this application are the following items: 1) a copy of the current survey of the property, 2) the street address and legal description of the property, 3) a map illustrating the present zoning and the clear delineation of the area sought to be rezoned, 4) a site plan illustrating an option to redevelop the lot into multiple single family lots, 5) the names and addresses of all owners of property within 500 feet to be notified, and 6) a check in the amount of \$1,925.00 for the application fee.

We would like to request the City of Bellaire Planning and Zoning Commission consider this request at their next scheduled meeting.

If you have any questions, please call me at your earliest convenience to discuss.

Thank you,

Todd L. Blitzer
 Principal

cc: Bruce W. Frankel (Principal) - Frankel Development Group
 Andrea M. Short (VP of Finance & Operations) - Dallas Christian College

p:\16-158 - 4301 bellaire blvd - dallas christian college\div-03 - correspondence & submittals\1a - hoa, city & permits\zoning request change - 2017-02-06.doc

Attachment: Zoning Request Change - 2017-02-07 (2) (2239 : Consideration-4301 Bellaire Blvd)

PROPERTY ADDRESS & PROPERTY LEGAL DESCRIPTION

Property address of land:

4301 Bellaire Boulevard; Bellaire, TX 77401

Total area of the property proposed to be reclassified:

49,860 square feet (1.145 acres) Front Boundary: 119.92 feet; Rear Boundary: 123.90; Side Boundaries: 409 feet.

Legal description of land:

A TRACT OF LAND CONTAINING 1.145 ACRES (49,860 SQ. FT.) OF LAND BEING ALL OF LOT 46 AND THE WEST 6.5 FEET OF LOT 47, BLOCK 1 WESTMORELAND FARMS FIRST AMENDED SUBDIVISION AS RECORDED IN VOLUME 3, PAGE 60 HARRIS COUNTY MAP RECORDS, SAID 1.145 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING AT A FOUND 5/8 INCH IRON ROD WITH "TRI-TECH" CAP BEING THE NORTHEAST CORNER OF BOULEVARD GREEN AS RECORDED IN VOL. 294, PG. 21 H.C.M.R., THE SOUTH RIGHT-OF-WAY LINE OF BELLAIRE BOULEVARD (150' ROW) AND NORTHWEST CORNER OF SAID LOT 47 AND HEREIN DESCRIBED TRACT;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID BELLAIRE BOULEVARD AND NORTH LINE OF HEREIN DESCRIBED TRACT A DISTANCE OF 119.92 FEET TO A FOUND 5/8 INCH IRON ROD WITH "TRI-TECH" CAP BEING ON THE SOUTH RIGHT-OF-WAY LINE OF SAID BELLAIRE BOULEVARD, THE NORTHWEST OF A TRACT DESCRIBED TO CENTERPOINT ENERGY AS RECORDED IN VOL. 1757, PG. 174 OF H.C.D.R. AND NORTHEAST CONER OF HEREIN DESCRIBED TRACT;

THENCE SOUTH 00 DEGREES 13 MINUTES 05 SECONDS WEST ALONG THE WEST LINE OF SAID CENTERPOINT TRACT A DISTANCE OF 409.00 FEET TO A FOUND 5/8 INCH IRON ROD WITH "TRI-TECH" CAP BEING THE SOUTHWEST CORNER OF SAID CENTERPOINT TRACT, THE NORTH LINE OF AN AREA OF QUESTIONABLE TITLE AND SOUTHEAST CORNER OF HEREIN DESCRIBED TRACT;

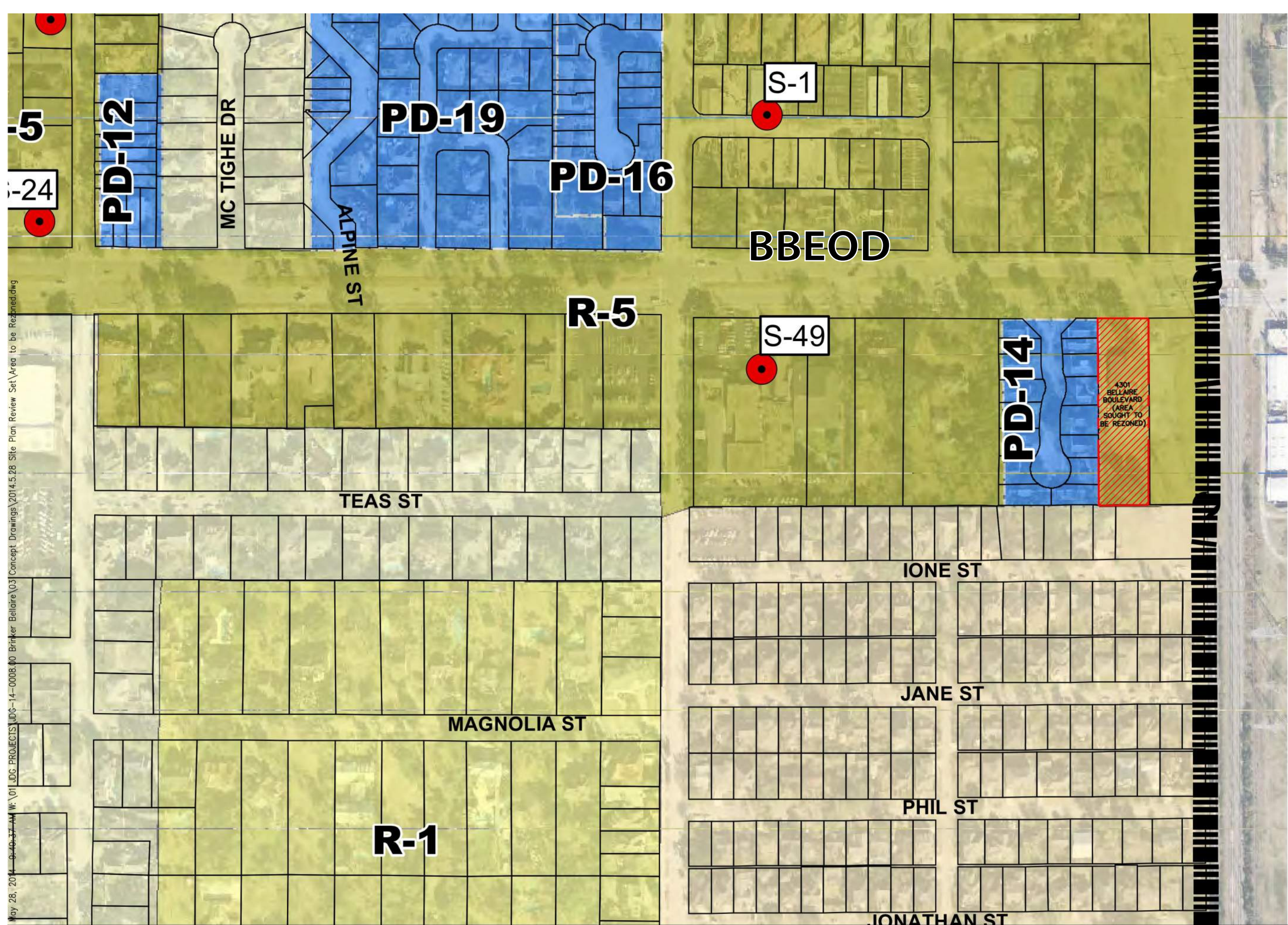
THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE SOUTH LINE OF HEREIN DESCRIBED TRACT A DISTANCE OF 123.90 FEET TO A FOUND 5/8 INCH IRON ROD WITH "TRI-TECH" CAP BEING THE SOUTHEAST CORNER OF SAID BOULEVARD GREEN SUBDIVISION AND SOUTHWEST CORNER OF HEREIN DESCRIBED TRACT;

THENCE NORTH 00 DEGREES 20 MINUTES 26 SECONDS EAST ALONG THE EAST LINE OF SAID BOULEVARD GREEN SUBDIVISION AND WEST LINE OF HEREIN DESCRIBED TRACT A DISTANCE OF 409.01 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.145 ACRES OF LAND.

Attachment: Property Address Legal Description (2) (2239 : Consideration-4301 Bellaire Blvd)

4301 Bellaire B o u l e v a r d

Application for Amendment to Official Zoning District Map



Zoning District

CCD-1	City Center
CCD-2	City Center
L-610	Loop 610
LI	Light Industrial
LLDD	Larch Lane Development
MRED	Mulberry Residential
Planned Development	
R-1	Residential
R-3	Residential
R-4	Residential
R-5	Residential
R-M1	Residential-Commercial Mixed Use
R-M2	Residential-Commercial Mixed Use
R-M3	Residential-Commercial Mixed Use
RM-2-0	Residential-Mixed
R-MF	Residential-Multifamily
RDD	Research Development District
TRP	Technical Research Park
UVT	



GRATE INLET	LIGHT STANDARD	IRON FENCE	POWER POLE	CONCRETE	CONTROLLING MONUMENT (3-14-13)	CHU = OVERHEAD UTILITIES	BL = BUILDING LINE	FND = FOUND	NO. DATE REASON BY
SIGN	WATER VALVE	WOOD FENCE	GUY ANCHOR	COVERED	CHAIN LINK FENCE	UE = UTILITY EASEMENT	PL = BOUNDARY LINE	I.R. = IRON ROD	1 04-02-14 ADD TITLE COMMITMENT M. BAIRD
MANHOLE	CLEAN OUT	POWER LINE	WATER METER	CALL	FIRE HYDRANT	AE = AERIAL EASEMENT	PP = POWER POLE	I.P. = IRON PIPE	
BOLLARD	SANITARY MANHOLE	STORM MANHOLE	ELECTRIC BOX			WLE = WATERLINE EASEMENT	MH = MANHOLE	FNC = FENCE	
						STM MH = STORM SEWER MANHOLE		R.C.P. = REINFORCED CONCRETE PIPE	
						SAN MH = SANITARY SEWER MANHOLE		P.V.C. = POLYVINYL CHLORIDE PIPE	

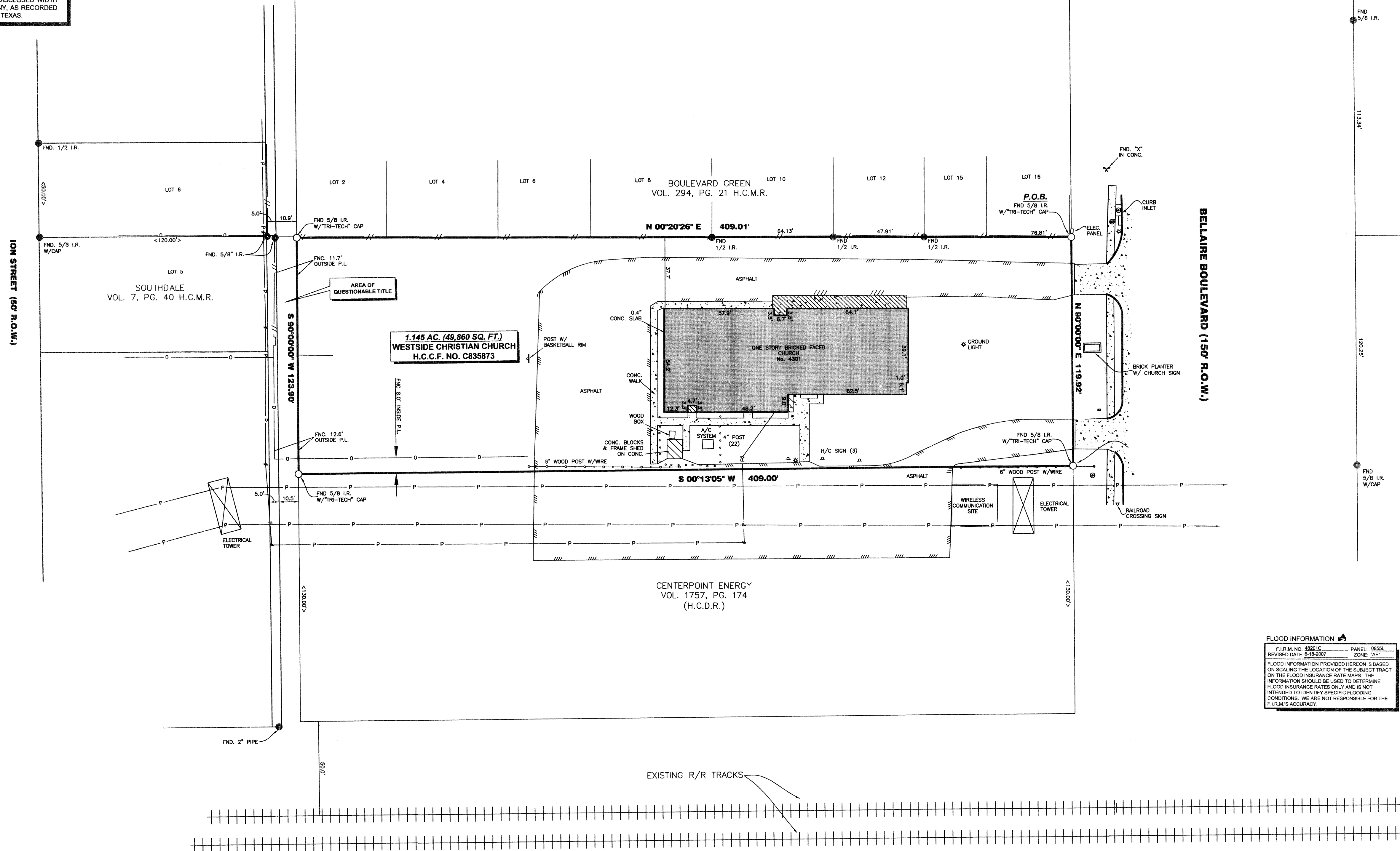
LEGEND

COMMON ABBREVIATIONS

REVISIONS

NOTES:

- ALL EASEMENTS AND BUILDING LINES SHOWN ARE PER THE RECORDED PLAT UNLESS OTHERWISE NOTED.
- SUBJECT TO A DRAINAGE EASEMENT ON EACH SIDE OF THE CENTERLINE OF ALL NATURAL DRAINAGE COURSES.
- EXCEPTIONS FROM COVERAGE LISTED IN SCHEDULE "B" OF TITLE COMMITMENT SHOWN HEREON ARE AS FOLLOWS:
VOLUME 3, PAGE 60 OF THE MAP RECORDS OF HARRIS COUNTY TEXAS; VOLUME 662, PAGE 65, OF THE DEED RECORDS OF HARRIS COUNTY, TEXAS.
- ALL BUILDING LINES, EASEMENTS, BUILDING RESTRICTIONS (DEED RESTRICTIONS, ETC.) AND ZONING ORDINANCES, IF ANY, THAT MAY AFFECT SUBJECT PROPERTY SHOULD BE VERIFIED PRIOR TO PLANNING AND/OR CONSTRUCTION.
- MINIMUM FINISH FLOOR REQUIREMENTS, IF SHOWN, ARE PER RECORDED PLAT AND/OR DEED RESTRICTIONS ONLY, AND NOTED AS SUCH. ADDITIONAL FINISHED FLOOR REQUIREMENTS MAY BE REQUIRED BY F.E.M.A. AND/OR LOCAL GOVERNING AUTHORITIES.
- SURFACE OR SUBSURFACE FAULTING, HAZARDOUS WASTE, MINERAL RIGHTS, WETLAND DESIGNATION OR OTHER ENVIRONMENTAL ISSUES AND ARCHEOLOGICAL ISSUES HAVE NOT BEEN ADDRESSED WITHIN THE SCOPE OF THIS SURVEY.
- ABSTRACT INFORMATION PROVIDED HEREON IS BELIEVED TO BE SUFFICIENT AND CORRECT BY THE UNDERSIGNED SURVEYOR. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. THE ENCUMBRANCES OF RECORD, AS REFLECTED ON THIS SURVEY ARE BASED ON THE RECORDED MAP OR PLAT AND/OR DEEDS AND TITLE INFORMATION OWNERS/BUILDER SHOULD VERIFY ALL BUILDINGS LINES, EASEMENTS, RESTRICTION, AND ORDINANCES, IF ANY, AS SHOWN HEREON.
- A GROUND AND/OR AERIAL EASEMENT MAY EXIST ADJACENT TO ANY EXISTING UTILITY. OWNER/BUILDER MUST VERIFY CLEARANCE OF UTILITIES AND EASEMENTS WITH APPLICABLE UTILITY COMPANIES PRIOR TO PLANNING AND/OR CONSTRUCTION.
- BURIED UTILITIES HAVE NOT BEEN SHOWN, VERIFY ALL UTILITIES PRIOR TO CONSTRUCTION.
- THIS SURVEY DOES NOT ADDRESS ARCHITECTURAL PROTRUSIONS SUCH AS EAVES, OVERHANGS, WINDOW LEDGES, ETC. IN RELATION TO EASEMENTS AND/OR BUILDING LINES.
- SUBJECT TO A PIPELINE RIGHT OF WAY EASEMENT OF UNDISCLOSED WIDTH AND LOCATION, IN FAVOR OF HOUSTON NATURAL GAS COMPANY, AS RECORDED IN VOL. 662, PG. 63, OF THE DEED RECORDS OF HARRIS COUNTY TEXAS.



LEGAL DESCRIPTION:

A TRACT OF LAND CONTAINING 1.145 ACRES (49,860 SQ. FT.) OF LAND BEING ALL OF LOT 46 AND THE WEST 6.5 FEET OF LOT 47, BLOCK 1 WESTMORELAND FARMS FIRST AMENDED SUBDIVISION AS RECORDED IN VOLUME 3, PAGE 60 HARRIS COUNTY MAP RECORDS, SAID 1.145 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FOUND 3/8" IRON ROD WITH "TRI-TECH" CAP BEING THE NORTHEAST CORNER OF BOULEVARD GREEN AS RECORDED IN VOL. 294, PG. 21 H.C.M.R., THE SOUTH RIGHT-OF-WAY LINE OF BELLAIRE BOULEVARD (150' ROW) AND NORTHWEST CORNER OF SAID LOT 47 AND HEREIN DESCRIBED TRACT;

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID BELLAIRE BOULEVARD AND NORTH LINE OF HEREIN DESCRIBED TRACT A DISTANCE OF 119.92 FEET TO A FOUND 3/8" IRON ROD WITH "TRI-TECH" CAP BEING THE SOUTH RIGHT-OF-WAY LINE OF SAID BELLAIRE BOULEVARD, THE NORTHWEST OF A TRACT DESCRIBED TO CENTERPOINT ENERGY AS RECORDED IN VOL. 1757, PG. 174 OF H.C.D.R. AND NORTHEAST CORNER OF HEREIN DESCRIBED TRACT;

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FLOOD INFORMATION

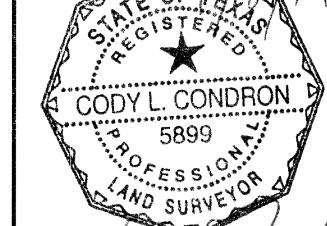
F.I.R.M. NO. 49201C PANEL 5955L
REVISED DATE 6-18-2007 ZONE: AE
FLOOD INFORMATION PROVIDED HEREON IS BASED ON SCALING THE LOCATION OF THE SUBJECT TRACT ON THE FLOOD INSURANCE RATE MAPS. THE INFORMATION SHOULD BE USED TO DETERMINE FLOOD INSURANCE RATES ONLY AND IS NOT INTENDED TO IDENTIFY SPECIFIC FLOODING CONDITIONS. WE ARE NOT RESPONSIBLE FOR THE FLOODING ACCURACY.

CERTIFICATION

I, the undersigned registered professional land surveyor, do hereby state that the plat shown herein represents a boundary survey made on the ground under my supervision of the tract or parcel of land, according to the map or plat and/or deeds thereof, indicated herein.

THIS SURVEY IS NULL AND VOID WITHOUT THE ORIGINAL SURVEYOR'S SEAL AND SIGNATURE OF SURVEYOR. THIS SURVEY IS VALID FOR THIS TRANSACTION ONLY.

© 2014, GLOBAL SURVEYING, INC.
An affiliate of Tri-Tech Surveying Company, L.P.



SURVEYOR REGISTRATION

BOUNDARY SURVEY

LOT 46 & PART OF LOT 47
BLOCK 1 WESTMORELAND FARMS
SUBDIVISION AS RECORDED IN
VOLUME 3, PAGE 60 HARRIS
COUNTY MAP RECORDS, SAID
1.145 ACRES BEING MORE
PARTICULARLY DESCRIBED BY
METES AND BOUNDS AS
FOLLOWS:
BEGINNING AT A FOUND 3/8" IRON
ROD WITH "TRI-TECH" CAP BEING
THE NORTHEAST CORNER OF
BOULEVARD GREEN AS RECORDED
IN VOL. 294, PG. 21 H.C.M.R.,
THE SOUTH RIGHT-OF-WAY LINE
OF BELLAIRE BOULEVARD (150'
ROW) AND NORTHWEST CORNER
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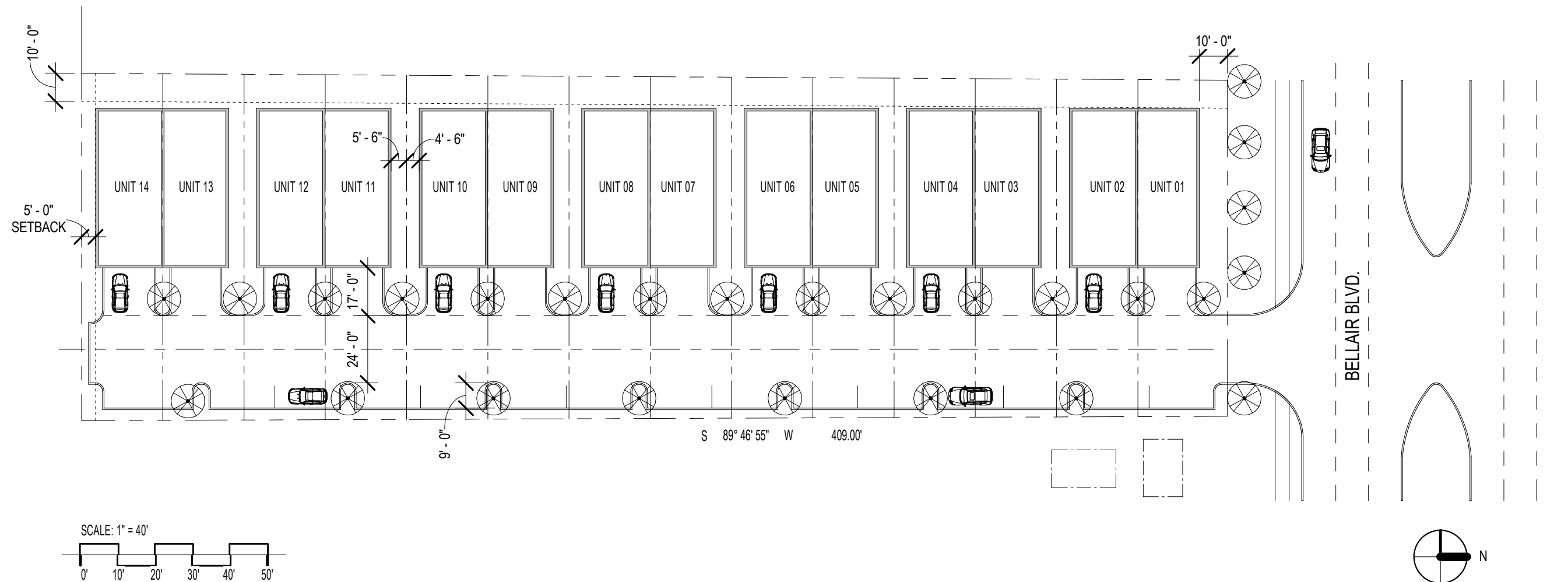
4301 BELLAIRE BOULEVARD

BELLAIRE, HARRIS COUNTY, TEXAS 77401

WWW.SURVEYLINGCOMPANY.COM
10401 Westchase Drive Phone: (713) 667-1880
Houston, Texas 77042 Fax: (713) 667-5848

Global Surveyors, Inc.
Formerly Residential Land Surveyors, Inc.
An affiliate of Tri-Tech Surveying Company, L.P.

4301 BELLAIRE BLVD
16-158



1 SITE PLAN - 14 UNIT OPTION
1" = 40'-0"

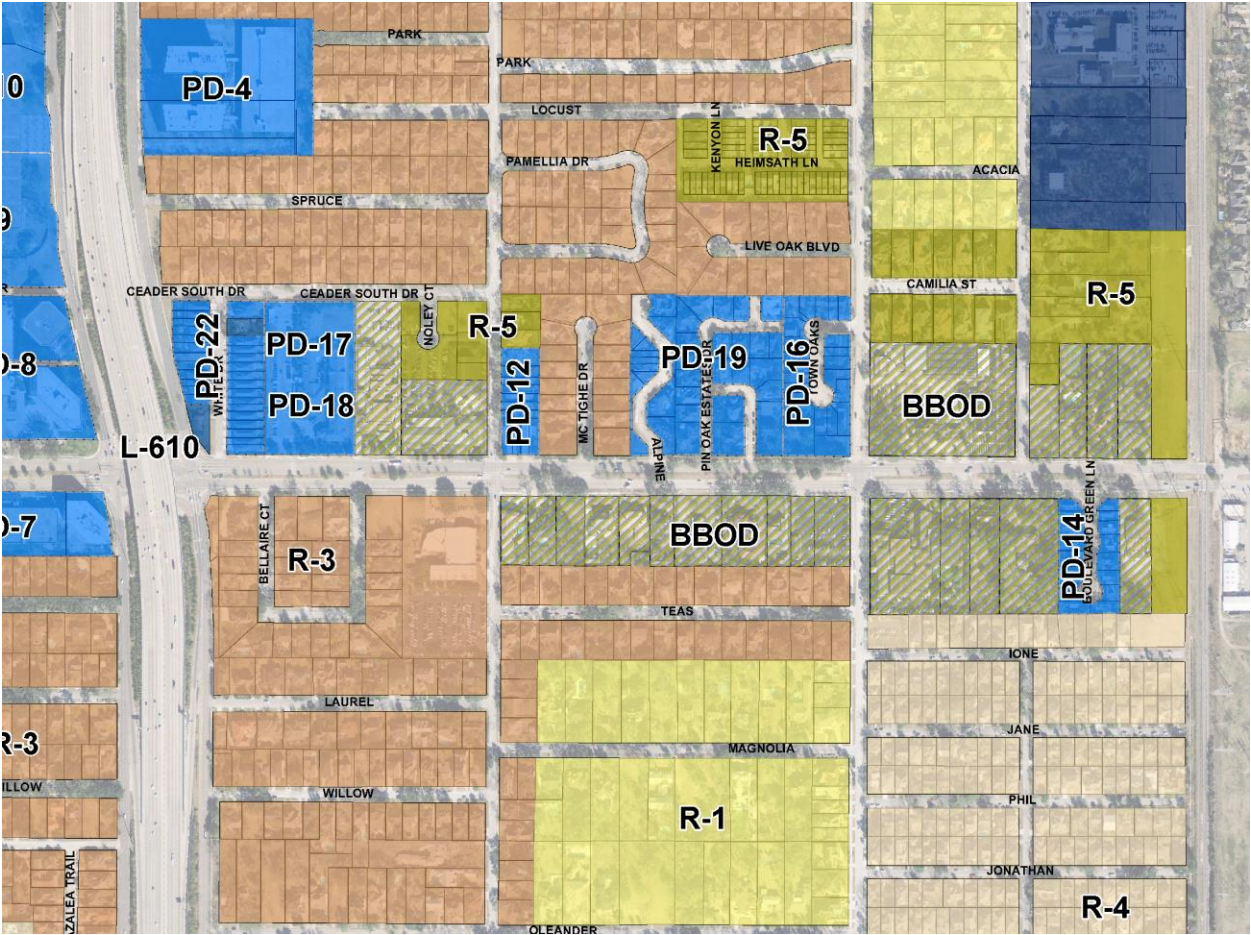
A101 SITE PLAN OPTION - 14 UNITS

1" = 40'-0"



JANUARY 29, 2017

BBEOD AREA



Attachment: BBEOD AREA (2239 : Consideration-4301 Bellaire Blvd)

Ashley Parcus

From: Connie Li [REDACTED]
Sent: Tuesday, April 04, 2017 7:40 PM
To: Andrew Friedberg; Roman Reed; Trisha Pollard; Gus Pappas; Pat McLaughlan; Michael Fife; David Montague; Ashley Parcus
Cc: [REDACTED] Me
Subject: 4301 Bellaire Property – Resident Opposition to Mirador Group's Application

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

RE 4301 Bellaire Property – Application filed by Todd Blitzer of Mirador Group to change the Zoning Map and Zoning Code of City of Bellaire

Dear Planning and Zoning Commission Members,

As concerned neighbors of the 4301 Bellaire Blvd. property, we are **opposed to the request filed by Todd Blitzer of Mirador Group to modify the Bellaire Zoning Map and to update the Zoning Code of the City of Bellaire.**

My husband and I support and incorporate the letters from our neighbors Mark Talanker and Irina Gorokhova (4320 Ione St, Bellaire, TX) and Victor and Kathy Gelsomino (15 Boulevard Green, Bellaire, TX).

The Planning & Zoning Commission should serve to protect the best interests of the Bellaire community. Here, the Mirador Group is seeking to maximize their profits at the expense of Bellaire residents. By voting to approve this re-zone, the P&Z would be setting a dangerous precedent, essentially eliminating the Bellaire Boulevard Estate Overlay District and eroding the quality of Bellaire.

My husband and I respectfully ask for no zoning changes to this parcel of land.

Attachment: 4301 Bellaire Boulevard Written Comments (2239 : Consideration-4301 Bellaire Blvd)

Respectfully submitted,

Connie and David Liu

9 Boulevard Green

Bellaire, TX

Attachment: 4301 Bellaire Boulevard Written Comments (2239 : Consideration-4301 Bellaire Blvd)

Date: April 4, 2017

To: Planning and Zoning Commission Members

Mayor Andrew Friedberg afriedberg@bellairetx.gov

Councilman Roman Reed rreed@bellairetx.gov Councilman Tricia Pollard TPollard@bellairetx.gov

Councilman Gus Pappas gpappas@bellairetx.gov Councilman Pat McLaughlan pmclaughlan@bellairetx.gov

Councilman Michael Fife mfife@bellairetx.gov Councilman David Montague DMontague@bellairetx.gov

Planning and Zoning Staff Ashley Parcus aparcus@bellairetx.gov

From: Victor V. Gelsomino, Jr., AIA and Kathy E. Gelsomino

Homeowner since 2001 - 15 Boulevard Green, Bellaire, TX 77401 : [REDACTED]

Re: 4301 Bellaire Property – Zoning Change Requested

Position: Against Proposed changes to current zoning.

Reason:

1. Increased Flooding to current residents in Boulevard Green. Currently, flooding comes up my driveway to within 3 feet of entering my garage. The existing area storm sewer system is under capacity, will not drain and is unable to handle the current flooding, let alone any increased flooding a new development will bring even, with the current Harris Co. requirements for not allowing an increase of the current runoff rate of a property.... And as nice as it is, the impact of Evelyn's Park increased elevation and grades upon area flooding, is yet to be seen!

The two large properties at 4301 and 4317 Bellaire Blvd. currently serve as "unofficial detention ponds" in times of intense flooding. I have observed an increase in Bellaire Boulevard flooding since I moved here in 2001.

2. If the proposed changes are approved, this will set a precedent and have unintended consequences such as allowing future large properties, along Bellaire Boulevard to request similar variances to the Zoning Code, resulting in still more disastrous homeowner flooding.

Solution:

My preference would be for the property to be converted to a flood detention/landscaped area /meditation area with Solar Panels along the Eastern Property line, as well as new landscaping (e.g. Italian Cypress trees) along Bellaire Blvd to soften the view of the Solar Panels.

The income from the Solar Panels would be used to offset: the cost of land purchase I assume, via Bonds, and used for ground maintenance. The panels would be leased and maintained by the Solar Company through a leasing arrangement known as a "powerpurchase agreement" (ref. Houston Chronicle Business 4/2/2017.)

The property is currently tax exempt, hence no taxes are being paid. If the City were to move in this direction, it could use Eminent Domain and/or pay a fair and nominal amount for the property. If a compromise cannot be reached then just condemn it under the State of Texas rules that allow it because, if developed as proposed, it would be a detriment to the surrounding neighborhood.

Benefits to City of Bellaire:

1. Shows that the City of Bellaire is responsive to existing Residents' Concerns,
2. Shows that the City of Bellaire is incorporating positive solutions, towards solving our flooding problems,
3. Shows new and enhanced East Entry for the City of Bellaire,
4. Shows innovative and creative problem solving ideas employing existing technologies,
5. Shows that the City of Bellaire exhibits leadership in Environmental concerns,
6. All working towards a Win - Win - Win situation.

Thank you for your time and attention in this serious matter.

Victor V. Gelsomino, Jr. AIA and Kathy E Gelsomino - vgelsomino@comcast.net

Attachment: 4301 Bellaire Boulevard Written Comments (2239 : Consideration-4301 Bellaire Blvd)

Ashley Parcus

From: John Marklund [REDACTED]
Sent: Monday, April 03, 2017 9:15 PM
To: Ashley Parcus; Winfred Frazier; Marc Steinberg; Bill Thorogood; Mike Axelrad; Dirk Stiggins; S. Lynne Skinner; Jonathan Saikin
Subject: Rezoning of 4301 Bellaire

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

To Whom It May Concern,

My name is John Marklund. My wife Kim and I have lived on 4414 Ione Street since 2005. Our home backs up to 4411 Bellaire.

It is my understanding that the owners of 4301 Bellaire have asked the Bellaire Planning & Zoning Commission to rezone their lot for multi-family use, allowing them to sell the property to developers intending to develop multi-family units. It is also my understanding that the owners of 4317 Bellaire have requested that their lot be rezoned as well.

I would like to state my opposition to rezoning of these two lots, in addition to rezoning of 4411 Bellaire, if it were proposed. We purchased our home on Ione Street in large part because the lots on each side were zoned to be single-family residential, as I'm sure each resident on Ione Street did. While I understand the pressure to rezone to increase tax revenue is great, I would urge the board not to give in and to maintain the very much residential feel of this great little town. The lots will eventually be redeveloped with mansions, and will provide our city with a much better west-bound first impression than any multi-family complex will.

I have no doubt the owners would be able to sell 4301 Bellaire at a higher price if it were to be rezoned, but they did not buy it as rezoned and shouldn't expect it to be so just so they can sell. I would urge the owners to list their property as residential at a fair price, knowing it's next to the rail-road tracks and under power-lines. This is the exact condition in which they purchased the property and I have no doubt someone will purchase it for a home despite its location. The price however needs to be fair in a \$50 oil market.

I missed the public hearing on this topic on March 14th and can not recall a notice. I do hope you consider our concerns before you chose to alter the look and feel of Bellaire Blvd as we know it.

Thank you for your time and thank you for serving on the Bellaire Planning & Zoning Commission.

Kind Regards,

John Marklund
4414 Ione St.

281-844-5575

Attachment: 4301 Bellaire Boulevard Written Comments (2239 : Consideration-4301 Bellaire Blvd)

Ashley Parcus

From: Link, Andrea Marianne <[REDACTED]>
Sent: Monday, April 03, 2017 4:27 PM
To: Ashley Parcus
Subject: Zoning Meeting

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

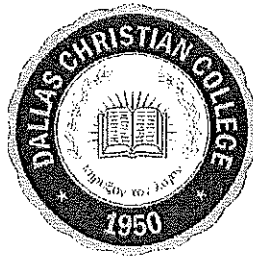
Dear Bellaire Zoning and Planning Commission -

I live at 4326 lone and I am writing to strongly to urge you not to spot rezone the property at 4301 Bellaire. I think in addition to the other issues (flooding, increased traffic, decreased property values etc) we would be squandering the opportunity to make a real statement as people drive into Bellaire. Evelyn's Park has so added to the stately feeling of the entrance into Bellaire, but if you cram in a bunch of townhouses and then do it again (because make my words, they will be appealing to change the zoning of 4317 Bellaire to allow townhouses or worse) then you have really lost a terrific opportunity to make our faircity green and beautiful. Please do not let the avarice of developers who don't live here dictate how we run our beautiful little oasis. Imagine the drive down Bellaire with beautiful homes on either side, then a gorgeous park. Or, we can be like every other section of Houston, overrun with townhouses and apartment buildings that are identical and utterly lacking in charm.

We bought our home in Bellaire because of the small town feel, if we capitulate to other people's greediness, then what was the point?? We are a small town with small town values. The two properties I mention were zoned as single family residences for a reason – to preserve that stretch of Bellaire Blvd. The only reason they are asking for spot rezoning is because people want to make more money. I am all for capitalism but it shouldn't be on the backs of their fellow neighbors. Our property values will suffer and our quality of life as well – please protect the citizens of Bellaire!

Andrea and Richard Link
 4326 lone

Attachment: 4301 Bellaire Boulevard Written Comments (2239 : Consideration-4301 Bellaire Blvd)



April 3, 2017

City of Bellaire
Planning & Zoning Commission

Dear Commissioners,

Thank you for considering our requests to remove the BBOD and alter the minimum acreage requirement for a Planned Development in the R-5 zoning as it relates to our property at 4301 Bellaire Blvd. Having listened to the comments made by neighbors during the public hearing held in March, I'd like to take this opportunity to clarify misconceptions about three comments that were raised. Although these misconceptions are not directly relevant to the decision, they are important to providing context to our situation as owners. I also hope that such clarification will prevent both the Commission and the concerned neighbors from having any reason to doubt the integrity of Dallas Christian College.

The first comment raised pertains to a future development on the property. We believe the practical concerns raised, such as traffic, drainage, etc., were answered adequately in the public hearing and will be addressed in further detail by a future Buyer who will be submitting the proposed Planned Development.

The second comment raised is that Dallas Christian College has received interest from potential buyers to develop the property as a single family residence. Both I, as the President of the College since November 2014, and Dusty Rubeck the former President, who served for approximately 10 years before me, never received and/or are not aware of any offers from anyone interested in developing the property as a single family residence. It appeared, through non-verbal communication from the community during the public hearing, that some believe there has been such interest. We are not aware of any interest expressed to any member of the community, a realtor/broker engaged by the College, or to any officer of the College. We would welcome any and all viable offers on our property, including those wishing to develop the property as a single family residence. However, to date and for reasons discussed during the March public hearing, no one has expressed or submitted an offer on our property for the development of a single family residence.

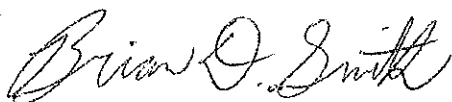
The third comment raised is that Dallas Christian College's marketing strategy for the property is motivated primarily by "greed." The College, as a non-profit organization, received the gift of property from Westside Christian Church. As required by FASB No. 116 (Financial Accounting Standards Board) "contributions received shall be recognized as revenues or gains in the period received and as assets, decreases of liabilities, or expenses depending on the form of the benefits received. Contributions received shall be measured at their fair values." (<http://www.fasb.org/st/summary/stsum116.shtml>) Therefore, the College recorded the asset at the appraised value, including appropriate allowances for the expenses relating to the holding of the property and for its sale. The College has held the property for over 4 years, which is much longer

than expected, and incurs significant expenses related to its maintenance. Thus, it is in the best interest of the College to divest the property as soon as possible. The College is bound by two realities: (1) its Board and officers are legally bound to protect and maintain the fiscal integrity of the College, and (2) any sale below the appraised value would be recorded as a loss on the College's audited financial statements. Yes, we desire to sell the property in such a way as to honor the intention of Westside Christian Church to provide maximum resources to the College in the pursuit of its mission. A significant financial loss could endanger the financial health of the College and cause a cascade effect, which could lead to its eventual failure. The College is accountable not only to its donors, students, alumni, parents, and employees, to guard the longevity of its mission, but it is also accountable to the United States Department of Education, and its accrediting body, the Association for Biblical Higher Education, which monitor, among many other items, the financial health of the institution. Relationships with both organizations directly tie to our ability to operate, especially through the provision of Title IV Student Financial Aid. In short, ongoing financial instability, which could be initiated by such a financial loss, could eventually lead to the loss of federal financial aid for our students. This would almost certainly lead to the closure of Dallas Christian College, since a majority of our students are dependent upon financial aid to attend.

The College finds itself in a difficult situation. We simply cannot sell the property for a financial loss, without endangering our future viability. We have been unsuccessful in selling the property to the most interested group of potential buyers, namely commercial developers who have made financially viable offers, because of the property's constraints. Offers from buyers that fit within the current zoning classification have either not been viable for the College or have been unsuccessful on the buyer's end. This leads us to believe that our current proposal, if approved, allows for a high chance of success, while providing an attractive development option to the City of Bellaire that is also in line with the City's Comprehensive Plan.

Thank you for your consideration of our request and of this additional information. Please contact me should you have further questions. Your support and approval of our applications / requests is greatly appreciated.

Sincerely,



Brian D. Smith, Ph.D.
President

Ashley Parcus

From: Joy A Puzon [REDACTED]
Sent: Sunday, April 02, 2017 12:42 PM
To: Ashley Parcus; Tracy Dutton
Subject: Fwd: Fw:
Attachments: IMG_2022.JPG; IMG_2022.JPG

Follow Up Flag: Follow up
Flag Status: Flagged

Ms. Dutton and Ms. Parcus-

Will you please forward Dr. Hurwitz's comments to the P&Z committee, the mayor, council and city manager?

Thank you,

Joy Puzon

----- Forwarded message -----

From: "Raye Hurwitz" [REDACTED]
Date: Apr 2, 2017 12:18 PM
Subject: Fw:
To: "Joy A. Puzon" [REDACTED]
Cc:

I was unsuccessful in sending my comments to the Bellaire City officials websites.

Perhaps you could try to forward it for me.

Thanks,

Raye

On Sunday, April 2, 2017 12:15 PM, Raye Hurwitz [REDACTED] wrote:

On Sunday, April 2, 2017 12:10 PM, Raye Hurwitz [REDACTED] wrote:

I attended the March 14, 2017 P&Z committee meeting regarding the future of the property at 4301 Bellaire Boulevard. My neighbors explained our concerns about the changes in the current zoning regulations that the committee is considering. We were very uncomfortable listening to the committee and the Bellaire City staff present discuss the reasons to allow the changes. The impression is that the city is tolerant of allowing developers their financial desires rather than putting the welfare of our lives and homes first. Several neighbors referred to the fact that the developer has never advertised the property for a single family home, yet at the end of the meeting, he was allowed to state on the record that he had done so.

I am including photos of Boulevard Green and Bellaire Boulevard from the front of my home during the flooding we experienced May 26, 2015. I am very concerned that the changes in zoning will create worse flooding and potentially serious damage to our homes. I am unwilling to risk an exacerbation of the current flooding problems despite any promises the developer makes. I believe that you would feel the same in our situation and hope that you will put Bellaire residents interests first..

Sincerely,

Raye Hurwitz, M.D.

On Sunday, April 2, 2017 11:21 AM, Raye Hurwitz <rayeh@sbcglobal.net> wrote:



Ashley Parcus

From: Carol Redel <[REDACTED]>
Sent: Sunday, April 02, 2017 12:01 PM
To: Ashley Parcus
Cc: Winfred Frazier; Marc Steinberg; Mike Axelrad; Bill Thorogood; dstiggin@bellairetx.gov; S. Lynne Skinner; Jonathan Saikin; Andrew Friedberg
Subject: 4301 Bellaire Ave

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mayor and members of Bellaire Planning and Zoning Commission:

This is a letter of opposition to requested zoning and regulation changes requested by Bruce W Frankel's development group regarding the above property:

1. Removal of 4301 Bellaire Blvd from the BBEOD
2. Change in city regulations for PD to allow dense multi family residences on single family lots.

I am a resident of Boulevard Green; my property is directly adjacent to 4301 Bellaire. I purchased and moved to this property with my teenage daughter 9yrs ago given Bellaire's reputation as a safe city of homes, as well as proximity to my TX Medical Center job.

My objections to a moderately dense multifamily development are several, and as follows:

1. Increased traffic at the railroad crossing. The number of trains coursing there has increased markedly in the past few years. More folks entering and leaving near the tracks will complicate eastbound traffic into the medical center.
2. Increased risk of flooding. The complex will be raised, all concrete, to compensate for water drainage from the railroad tracks. This will increase water drainage onto Boulevard Green, the drainage from which has already been shown to be compromised in both the Memorial Day 2015 and Tax Day 2016 floods. On both occasions water was within inches of my home, not to mention that I was unable to get to my work as a TX Regional Hospital Preparedness Council Essential Personnel.
3. Deterioration in property values, both in my complex and those on lone due to density of the development. If the above changes are granted, it is likely that Mrs Wolfe's property at 4317 Bellaire would also become a PD. Is this the vision that our city fathers (and mothers!) have for the future of Bellaire--a city of high density homes??
4. Development of PD at 4301 is a matter of money, both to the church owner and Frankel's group. The inflated price of \$2.493million makes construction of a single residence prohibitive. If priced reasonably, the 1.05 acre lot would be more feasible for a single family residence. This residence would then be a stately entry point into Bellaire, unlike the appearance of an imposing stacked moderate density development (resembling an apartment complex). As of today, the developer continues to list the property on loopnet as a multifamily lot:

<http://www.loopnet.com/Listing/20106147/4301-Bellaire-Blvd-Bellaire-TX/>

In conclusion, thank you for the work you do on behalf of the homeowners of Bellaire!

Sincerely,
 Carol Redel MD
 6 Boulevard Grn

Sent from my iPad

Attachment: 4301 Bellaire Boulevard Written Comments (2239 : Consideration-4301 Bellaire Blvd)

Ashley Parcus

From: Volker Eisele [REDACTED]
Sent: Friday, March 31, 2017 8:58 PM
To: Ashley Parcus
Subject: Rezoning of 4301 Bellaire Boulevard

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

Planning and Zoning Committee -

We live at 16 Boulevard Green and we are residents of Bellaire for over 12 years. We are very concerned about the proposed rezoning request, that will potentially set an unfavorable precedent impacting the integrity of our city as a largely one family house oasis in zoning free Houston. The proposed multi residential development greeting the visitor at the entrance to the city of Bellaire is not conducive to further the image of our city as a single family haven. It potentially takes away from the graciousness of Bellaire Boulevard.

A serious problem resulting from a multiple housing development is the flooding situation. Whenever we experience a hard rain here in Bellaire, the water in our street rises to our house entrance level and it is not hard to imagine that the water rises even higher with the proposed development, especially flooding our backyards. The proposal for adequate flood control presented at the recent meeting did not seem to be very convincing.

A situation that had not been addressed so far is the closeness to the power lines. There is more and more scientific evidence emerging that living within a 60 feet radius of the power lines increases leukemia in children, a potentially lethal disease.

We are asking that this email is being disseminated to the Planning and Zoning Committee to inform the Committee of our concerns in regard to this development.

Volker and Ute Eisele

Attachment: 4301 Bellaire Boulevard Written Comments (2239 : Consideration-4301 Bellaire Blvd)

Ashley Parcus

From: Joy Hall [REDACTED]
Sent: Thursday, March 30, 2017 12:13 AM
To: Ashley Parcus
Subject: Citizen letter for Planning and Zoning committee members and staff

Follow Up Flag: Follow up
Flag Status: Flagged

Attn: Ashley Parcus

March 30, 2017

To: City of Bellaire,

Planning and Zoning Staff % Ashley Parcus aparcus@bellairetx.gov

P&Z committee members:

wfrazier@bellairetx.gov,
rmsteinberg@bellairetx.gov,
bthorogood@bellairetx.gov,
maxelrad@bellairetx.gov,
dstiggins@bellairetx.gov,
lskinner@bellairetx.gov,
jsaikin@bellairetx.gov

From: Joy Hall, 2 Boulevard Green, Bellaire, Texas 77401

Ref: 4301 Bellaire Blvd- Rezoning Request

#1- Bellaire Boulevard Estate Overlay District (Request no change)

#2- 24-534, R-5 Residential District, D (Request no change)

Thank you for your service and for receiving the many communications that go with your service. I acknowledge this is a very busy time with many challenging issues being considered for the City of Bellaire.

The Applicant for the rezone request is Dallas Christian College. The request is for two zoning amendments. With all due respect to you for the pressure you are receiving for development within this city, I ask you to vote AGAINST both of these changes.

In the open hearing meeting on March 14, the developer said they had made every effort to market the property for residential property. I have followed this property closely and never have my calls been received or returned by the listing company. Will you please ask Mr. Frankel and Mirador Group to provide your committee with copies of the on line ads posted for residential listing as well as the commercial posting? Mr. Frankel would need to secure ads from the Transwestern Co. as well.

Attachment: 4301 Bellaire Boulevard Written Comments (2239 : Consideration-4301 Bellaire Blvd)

Additionally, the owner and developer have consistently listed the property at a price that is not residential friendly and then say, "We can't sell this property due to the power lines and railroad." Should they be successful in breaking the zoning, they will be selling the townhouses to people that will live by the railroad and look at the power lines! The church seems to have contracted with the money changers. Everyone should be able to sell their property. The Boulevard Green home owners agree with this right for the church and all the neighbors. However, the proposed zoning amendments would open the door for all property owners to expect they have the right to sell their homes at double- plus the market price. Then expect the Planning and Zoning committee to honor their request to amend the zoning laws that applies to their property. Please close the door to this expectation for the developers.

I have read the Bellaire Comprehensive Plan, 2009. This active document acknowledges there is limited space in Bellaire to develop. At the same time it cautions for the need to protect the residential character of the city, the traditions of the city as well as the loss of the tree canopy. In chapter 2, Land Use, the guide suggest the addition for supplemental screening for residential property that abuts non-residential land such as the railroad tracks and utility easement. What an excellent idea to assist in the sale of the property for residential use. Plus, the beautiful trees would remain on 4301 Bellaire Blvd.

The home owners in Bellaire still cry out to remain the "City of Homes". The Bellaire Comprehensive Plan does not move from that value understanding. The city leaders will need to continue the open discussion with the citizens. However, we made our investment here long before the current developers arrived. The Director of Development Services in Bellaire is charged to work for the welfare and needs of the home owners and developers. Currently, the developers seem have his ear and we do not!

Examples of the welfare and needs that the Bellaire homeowner have been lifted up in the public meetings: privacy in their homes and yards, community vs commercial areas, adequate parking for the homes, businesses, schools, parks and church sites. I do not see many articles addressing the traffic. But, it will come very soon as Bellaire Blvd. is regularly backed up many blocks due to the train, rain or construction. I was stunned to note the Comprehensive Plan does not address the train at all in the Mobility Section. Please know it is of serious concern regarding the public's lost time on a daily basis.

The top priority regarding development for the City of Bellaire and all Harris County is flooding! On March 12, 2017, The Houston Chronicle lead article in the Business Section, "A top concern: draining the region". The quotes for the article came from five West Houston developers. They acknowledge the region's biggest infrastructure need is drainage. Too often, the developers sell, build and leave. The new home owners, adjacent home owners and city are left with the flooding, home loss, increased insurance cost and loss of trust in the cities leadership and decision making. Flooding is assured when the developer is allowed to cover the building site completely leaving too little open space for rain to naturally run off with little or no percolation. The best drainage cannot handle all the water that falls in our area in several or many hours of hard rain. The only answer is fewer homes per sq. feet, not more!! Plus retention ponds! The under the street holding tanks would be an added expense so the builder has to add another town house to cover the cost! Please know, the lot in question currently floods.

Please give my request for a NO vote your thoughtful consideration.

Thank, Joy Hall

Ashley Parcus

From: Wayne Dorris [REDACTED]
Sent: Tuesday, March 28, 2017 12:00 PM
To: Ashley Parcus; Winfred Frazier; Marc Steinberg; Bill Thorogood; Mike Axelrad; Dirk Stiggins; S. Lynne Skinner; Jonathan Saikin
Cc: Joy A Puzon
Subject: Subject: RE Application filed by Todd Blitzer of Mirador group to change the Zoning Map and Zoning Code of City of Bellaire

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Planning and Zoning Commission,

We are asking the Commission to not only reject the requests for changes to the City of Bellaire Zoning Map and Zoning Code by owners of 4301 Bellaire Blvd., but also to put the owner on notice that for the next iteration they may plan on rezoning in two years, the owner must present **real evidence** of trying to sell the property at its value as a residential property during those two years, with all remedies available to any motivated seller - price reductions and property improvements. This property has **never** been marketed for single family residential use. As soon as the church moved out, a Commercial Real Estate sign from Transwestern was put up; the asking price was \$1.9 million. Of course there would be no interest at \$1.9 million, unless the property could be rezoned. Why have a **BBEOD**, if you are going to remove its coverage of a property whenever the property owners decide they want \$2 million for their property?

Given our reception at the last Planning and Zoning meeting, with false information being admitted into the record, it is apparent that the Residents of Bellaire have a problem, both at 4301 Bellaire Blvd and other sites.

As the Chronicle just reported:

"Bellaire residents say city 'isn't listening,' fate of Chevron property still undecided"

By Jaimy Jones, jjones@chron.com

March 27, 2017

0

Attachment: 4301 Bellaire Boulevard Written Comments (2239 : Consideration-4301 Bellaire Blvd)

Residents who spoke for an hour and half on Monday night at a Bellaire City Council public hearing made one thing clear: the Chevron property on Fournace Place should not be zoned for anything other than single-family residential homes once the land is sold by the Chevron company..... To homeowners who live near the site, it doesn't seem to matter what stage the city is in, they want to close any open doors to business activity or high-rise housing they say doesn't fit Bellaire's "City of Homes" reputation.

The residents living adjacent to 4301 Bellaire Blvd feel the same way.

Is anybody listening?

Wayne Dorris
Jacqui Hecht

3 Boulevard Green, 77401

Attachment: 4301 Bellaire Boulevard Written Comments (2239 : Consideration-4301 Bellaire Blvd)

March 26, 2017

Subject: RE Application filed by Todd Blitzer of Mirador group to change the Zoning Map and Zoning Code of City of Bellaire

Dear Planning and Zoning Commission,

This letter is to formally document our **concern and strong disagreement with the request of owners of 4301 Bellaire Blvd. to modify Bellaire Zoning Map and update the Zoning Code of City of Bellaire.**

The change of the Zoning Map by removing 4301 Bellaire Blvd. or singling out any other properties from Bellaire Boulevard Estate Overlay District **clearly represents spot zoning, and will establish precedence undermining the BBEOD**, leading to its complete deterioration over time. Other property owners along Bellaire Blvd will be motivated to develop townhomes or other rental complexes to extract more value from their properties. There has been already such request made by Mrs. Wolf at 4317 Bellaire Blvd. at the March 14, 2017 public hearing which, if approved, may end up as an apartment complex behind my fence. As BBEOD has been established specifically to protect the integrity of the zoning along Bellaire Blvd., any change to that construct would facilitate future exemptions, and before long, Bellaire Blvd. will look just like it does as you cross the rail-tracks into Southside Place.

The requested changes and the precedence they establish will have **negative impact on the value of our home**. We have studied closely Bellaire zoning maps and regulations when we purchased our home in 2013, and reviewed specifics with the Harris County Appraisal District clerk. One of the reasons **we purchased the home at the price that we did, was its backyard, its neighboring residential, Single-Family properties, and the BBEOD construct of City of Bellaire Code of Ordinances designed to protect that zoning forward.** The **spot zoning of 4301 Bellaire Blvd.**, the precedence it establishes, and whatever resulting property built by the developers at 4301 Bellaire Blvd. **will negatively impact the value of our home, and, shall the City approve the rezoning, we will hold the City liable for the diminished value of our home.**

The change of the Zoning Code and update of PD in R-5 **will allow developers to build denser, smaller, covering > 60% of their lots, spanning closer to their boundaries, multi-family dwellings on single-family plots.** While we trust the residents interests drive Commission's PD project reviews, these **Zoning Code changes would require in every case, awareness, alertness, diligence, organization and presence of neighboring residents to ensure their voices are represented in deliberations.** From the experience, it is an involved process, and developers/builders/sellers may end up being better represented in each particular case.

We strongly oppose this change from the perspectives it creates for the 4301 Bellaire Blvd. - **if proposed changes are accepted by the City, they would result in 4301 Bellaire Blvd. to be developed into a densely populated complex, almost an apartment complex;** perhaps we may be able to participate in plan reviews and acceptance but likely not all of them. The developers will be driven by maximizing the profit from investment, they would do the minimum required to protect the interests of surrounding community. **Proposed PD change will affect many other properties and communities in Bellaire, including those removed from BBEOD (now or in the future) if the BBEOD spot rezoning request is approved. All properties affected must be reviewed, all residents affected must be advised and consulted.**

Our concerns with the changes requested for 4301 Bellaire Blvd, beyond the precedence the change establishes for BBOED and the risks Bellaire runs with the creations of modified R-5 PD regulations, and beyond the diminished value of our home are the following:

Attachment: 4301 Bellaire Boulevard Written Comments (2239 : Consideration-4301 Bellaire Blvd)

- Dense, railroad-facing development would likely end up being a **short-term rental-oriented subdivision** which would erode the integrity of our side of the City
- It will **add to our flooding challenges** (it will be all concrete-covered – even with water storage underneath, when Bayou floods, water would drain towards our house)
- With a subdivision entrance just before the railroad, this development **will add to the morning traffic challenges towards Medical Center, and deteriorate driving safety**

We are not aware that the current owner of 4301 Bellaire Blvd. has tried to sell the property as a Single-Family residential property at corresponding market price ever since they brought it on the market. **Property was listed as a commercial property and later as a Multi-Family plot (both listings undermining the current zoning)** at prices several times exceeding the market price of this single-family lot. There are houses on the similar lots along the tracks, and if the owner of 4301 Bellaire Blvd. was motivated to sell (at a fair market price based on location, condition, and actual zoning of the dwelling) we are certain they would have succeeded. Yet, it appears that **the seller has been convinced by the developers** that a better profit can be achieved, and, with no taxes due, **the seller is pursuing such better profit as a long term project, waiting for the City to give in and tiring up the neighboring residents.**

Not only we are asking the Commission to rightfully reject the requests of City of Bellaire Zoning Map and Zoning Code changes by owners of 4301 Bellaire Blvd., we are asking you to put the owner on notice that for the next iteration they may plan on rezoning in two years, **owner must present real evidence of trying to sell the property under its current zoning, as a Single-Family Residential lot, at its true market value during those two years, with all the remedies available to any motivated seller - price reductions, property improvements, utilizing representation of real estate agents specializing in residential real estate.**

As P&Z commission solicits public remarks and holds public hearings, **the representatives of public and the City sharing their opinions in support of changes to the current Bellaire zoning must be required to specifically state absence of existing or potential business or investment interests in the rezoning, any personal relationship with owner, developer or builder promoting the rezoning who are all motivated by increased profit.** If any such interests are in place, those representatives must recuse themselves from any involvement in the matter.

We have been living in in Houston for over 20 years, and feel very fortunate to have found our home in Bellaire four years ago. We love the community, we love the parks, we love the overall feel of Bellaire, and Bellaire Boulevard is the main street that transposes that appeal, every day in the morning as we drive to work, and in the afternoon as we come home. These requests by owners of 4301 Bellaire Blvd., if approved by the City, are not a fair proposition to the citizens of Bellaire, as they will create major risks for the City of Bellaire, and for us personally **these changes would immediately diminish the value of our home and the quality of our life in Bellaire.**

Respectfully submitted,

Mark Talanker
Irina Gorokhova
4320 Lone St.
Bellaire, TX

Ashley Parcus

From: Bill Glick [REDACTED]
Sent: Saturday, March 18, 2017 9:14 PM
To: Andrew Friedberg; Roman Reed; Trisha Pollard; Gus Pappas; Pat McLaughlan; Michael Fife; David Montague; Ashley Parcus; Winfred Frazier; Marc Steinberg; Bill Thorogood; Mike Axelrad; Dirk Stiggins; S. Lynne Skinner; Jonathan Saikin
Subject: 4301 Bellaire Boulevard
Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Bellaire City Council and Planning and Zoning Committee,
Please do not rezone 4301 Bellaire Boulevard to non residential zoning or zoning other than the current R-5. The railroad defines a natural barrier between residential and commercial for our neighborhood. Any erosion of R-5 on the west side of the tracks would break up the neighborhood. please do not support the requests of the developers.

thank you.

Bill Glick
4401 Camellia Lane
Bellaire, TX 77401

Attachment: 4301 Bellaire Boulevard Written Comments (2239 : Consideration-4301 Bellaire Blvd)

Planning and Zoning Committee-

I am very concerned about the proposed rezoning of 4301 Bellaire Boulevard from Residential (R-5) to Planned Development (PD) and removal of the Bellaire Boulevard Estate Overlay District (BBEOD). I have been a resident of the City of Bellaire, living on Boulevard Green for 13 years and am thankful we have zoning laws to protect the integrity of our city. 4301 Bellaire Boulevard should remain residential (R-5) and should not be rezoned to a planned development.

The seller claims that no one would want this property because of the proximity to the railroad tracks and the power lines. The property may be less desirable but it is definitely not unsellable in the current zoning. For example: there are multi-million dollar homes at the end of Mulberry, La Mont and Lampton Circle literally 15 feet away from the base of a power line tower. Even the brand-new house being built on Mulberry is right next door to a massive power substation. All of the most eastern homes in the Southdale are at least 50 feet closer to the railroad tracks than 4301 Bellaire Boulevard, but no one says those properties are not sellable.

I surmise that the most undesirable part about 4301 Bellaire is it's selling price. When the property was listed with Transwestern the asking price was 1.9 million dollars. After almost 5 years of the property remaining on the market and then the Frankel Development Group taking over as realtor, the price was increased by 600 thousand dollars to 2.5 million dollars! Ask any person who has tried to sell their home... if your property remains on the market for an extended period of time, you DROP the price... not RAISE it!!

Another consideration as to why the property has not sold yet is because it has never been marketed as residential site. I've never seen the property on any residential listing site like har, zillow, or realtor.com and believe me I've been looking.

Below is the marketing flyer at that time the property was listed under Transwestern.

https://download.transwestern.com/flyers/Houston/retail/flyers/4301Bellaire/4301BellaireBlvd_Flyer.pdf

1.05+ ACRES AVAILABLE
 4301 BELLAIRE BLVD - HOUSTON, TEXAS

PRICE REDUCED

PROPERTY INFORMATION

- 49,840 sq. ft. For Sale
- Price Reduced: \$39.00 PSF (\$1,894,800)
- Existing building was previously occupied by Westside Christian Church
- Located on Bellaire Blvd just East of Newcastle St
- Excellent development opportunity for single family, church or school

ECONOMIC INFORMATION

- Please call to discuss

DEMOGRAPHICS

	1 Mile	3 Miles	5 Miles
• Population	18,360	187,467	452,264
• Median HH Income	\$152,046	\$83,025	\$71,221

TRAFFIC COUNTS

- Bellaire Blvd 25,910 cph

FOR INFORMATION, CONTACT:
Nick A. Hernandez

Please notice how it outlines every commercial site in the area. Do you think this appeals to homeowners? Absolutely not, but rather to more commercial industries!

4301 Bellaire is currently listed on loopnet as a multi-family lot which is in complete disregard for the current zoning laws. Here is the website: <http://www.loopnet.com/Listing/20106147/4301-Bellaire-Blvd-Bellaire-TX/>

Lot 46 & 47

Price	\$2,493,000	Lot Type	Multifamily (land)
Lot Size	49,860 SF	APN / Parcel ID	0370410000046
Price/SF	\$50	Commission Split	3%
120'W x 409'D			

Description

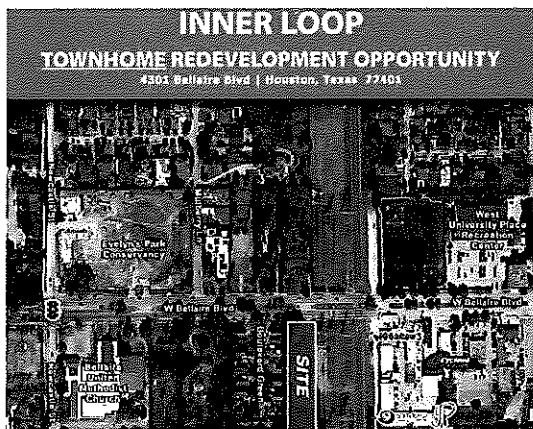
Property is located along Bellaire Boulevard in the City of Bellaire. Property features two existing curb cuts, mature oaks, relatively flat topography, has all utilities and Bellaire City services (police and fire).

An outstanding site for a multi-unit townhome development. Great inner Loop location, in close proximity to the Medical Center, Whole Foods Market, Randall's, restaurants, retail, schools and Loop 610

Attachments

 Flyer

Also, please take a look at the flyer that the Frankel Group has created
<http://x.lnimg.com/attachments/FE60F1D9-F84A-4E6A-8542-471A11EAAB22.pdf>



I'd like to point out how the flyer's first page has the word "townhome" underlined.

One item in this flyer made me incredibly discouraged.

"• The Townhome development has support from the City of Bellaire Director of Development."

It is so disheartening to hear John McDonald appearing to side with the developers over the residents that he is supposed to support.

At Tuesday's P&Z meeting, all the speakers with the exception of one (who said he didn't like seeing the "dilapidated church that isn't used or the big for sale sign") spoke as to how they did not want the rezoning. For the record... I don't like the massive for sale sign or the church deteriorating either.

My main point is that the property has not been marketed as a residential lot and therefore, no interest from a single-family homeowner has occurred in the past. The seller is 100% more able to make a greater profit on a multi-family lot rather than a single-family home. **The seller's greed should not be the reason why the city changes its zoning laws.** If the Dallas Christian College had listed it at an appropriate price point instead of trying to inflate the asking cost the property would have sold years ago. I'll say it again: the seller's interest to generate more revenue should not be the reason why the city of Bellaire needs to change the zoning laws and directly affect the surrounding neighbors. Allowing this property to be rezoned for a PD and removing the land from the BBEOD sets a precedence of rezoning for anyone along Bellaire Boulevard who wants to sell their property at a higher price. I would hope that this attempt to rezone is not a first step in a process of changing the lot to commercial land.

I urge you to keep the current zoning laws intact and vote against the rezoning of 4301 Bellaire Boulevard.

Thank you,

Joy & Peter Puzon
 10 Boulevard Green

The undersigned formally protest the request for an amendment to the official zoning map to re-zone 4301 Bellaire Boulevard from R-5, Residential District to PD, Planned Development, to remove the property from the Bellaire Boulevard Estate Overlay District (BBEOD), and Application for Amendment to the Written Text or Official Zoning District Map of the City of Bellaire, Texas the re-zoning of 4301 Bellaire from R-5 to PD.

Property	Property Owner	Property Owner's residence	Signature	Date
2 Boulevard Green	Joy & Charles Hall	2 Boulevard Green	<i>Joy Hall</i>	2/28/17
4 Boulevard Green	Sara Weinstein	4 Boulevard Green	<i>Sara Weinstein</i>	3/6/17
6 Boulevard Green	Carol Redel	6 Boulevard Green	<i>Carol Redel</i>	2/28/20
8 Boulevard Green	Emily Rutledge	8 Boulevard Green	<i>Emily Rutledge</i>	3/5/17
10 Boulevard Green	Joy & Peter Puzon	10 Boulevard Green	<i>Joy Puzon</i>	2/28/17
12 Boulevard Green	Shira Moses	12 Boulevard Green	<i>Shira Moses</i>	3/5/17
14 Boulevard Green	Pat & Page Piland	14 Boulevard Green	<i>Pat Piland</i>	3/1/17
16 Boulevard Green	Ute & Volker Eisele	16 Boulevard Green	<i>Ute Eisele</i>	3-2-17
4308 lone	Susan Turner	4308 lone	<i>Susan Turner</i>	3/6/17

Attachment: 4301 Bellaire Boulevard Written Comments (2239 : Consideration-4301 Bellaire Blvd)

**Planning and Zoning
Commission**

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



Meeting: 04/11/17 06:00 PM
Department: Development Services
Category: Report
Department Head: John McDonald
DOC ID: 2268

**SCHEDULED
ACTION ITEM (ID # 2268)**

Item Title:

Approval of the Planning and Zoning Commission's Report and Recommendation to City Council regarding the proposed zoning amendments at 4301 Bellaire Boulevard.

Background/Summary:

Attached is a draft report as a starting point for the Commission to finalize its recommendations to City Council on the proposed zoning amendments at 4301 Bellaire Boulevard.

ATTACHMENTS:

- 4301 Bellaire Blvd Memo-April 2017 (PDF)



CITY OF BELLAIRE

Planning and Zoning Commission

April 12, 2017

To: Mayor and City Council
 From: Dirk Stiggins, Vice Chairman, Planning & Zoning Commission
 CC: John McDonald, Director of Community Development
 Subject: Report and Recommendation on proposed amendments to the City of Bellaire Code of Ordinances, Chapter 24, Planning and Zoning, Section 24-534, Technical Research Park District (TRPD).

On March 14, 2017, the Planning & Zoning Commission held a public hearing on proposed amendments to the City of Bellaire Code of Ordinances, Chapter 24, Planning and Zoning, Section 24-534, R-5 Residential District, D. Planned Development, to include a reduction in the minimum site area for a planned development requirement within the R-5 Residential District to one (1) acre; and to amend the Official Zoning Map to remove the property more commonly known as 4301 Bellaire Boulevard from the Bellaire Boulevard Estate Overlay District (BBEOD). The request was submitted by Todd Blitzer of Mirador Group.

Notifications regarding the public hearing were mailed out to all addresses within 500 feet of the property. Any and all persons desiring to be heard in connection with the proposed code amendments were invited to speak before the Commission.

Five (5) residents spoke against the application during the public hearing, and voiced the following concerns:

- A higher density development would increase the issue of flooding, congestion, and parking in the area.
- The granting of the request will lead to similar requests for other properties in the area.
- The property has never been marketed as a residential site.
- The application is motivated by the seller's greed.

One (1) resident spoke in favor of the application, citing the following arguments:

- A thought out, well designed development would be more aesthetically pleasing than the dilapidated church that is currently located on the property.

One (1) written comment was submitted in favor of the application, stating the following:

- The Bellaire Boulevard Estate Overlay District with R-5 restrictions is inappropriate for the entire 4300-4400 block of Bellaire Boulevard.

Additionally, thirteen (13) written comments were received after closure of the public hearing.

Concerns voiced by the Commissioners were as follows:

- The reduction in the minimum site area would apply to all properties within R-5 Zoning Districts throughout in the City.
- The impact of a higher density development on the current drainage concerns, and how the development would be able to address those issues.
- Whether there will be a demand for multiple homes on that site when there has been no interest in the development of one single-family home on the property.

RECOMMENDATION

At the Commission's April 11, 2017 meeting, and after due consideration and discussion, the Commission felt that the proposed amendments were necessary/unnecessary to encourage the redevelopment of the property at 4301 Bellaire Boulevard. The Commission then voted _____ to recommend _____ 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: 04/11/17 06:00 PM
Department: Development Services
Category: Budget
Department Head: John McDonald
DOC ID: 2242

SCHEDULED ACTION ITEM (ID # 2242)

Item Title:

Approval of the Planning and Zoning Commission's Report and Recommendation to City Council regarding the Draft 2018-2022 Capital Improvement Plan.

Background/Summary:

On February 14, 2017, Michelle Jordan, Project Manager, presented the draft Five-Year Capital Improvement Plan (CIP) to the Planning and Zoning Commission for review and comment. This plan covers Fiscal Years 2018-2022. (The City's fiscal year runs from October 1 through September 30).

The Code of Ordinances, Chapter 24, Planning and Zoning, Section 24-402, Capital Improvement Program, requires the Commission to review the plan's consistency with the adopted Comprehensive Plan and forward comments and recommendations to the City Council.

With the completion of Terrain Studios' Visioning Bellaire: Urban Design and Beautification Conceptual Master Plan, the Commission was also tasked with determining which, if any, of the suggested projects listed within the Master Plan would be appropriate to include in the CIP.

Attached is a draft report as a starting point for the Commission to finalize comments and recommendations to City Council.

Recommendation:

The Director recommends approval of the final report, as amended by the Commission.

ATTACHMENTS:

- FY 18-22 CIP & Beautification Master Plan (PDF)
- CIP Memo-April 2017 (PDF)

Five Year Capital Improvement Plan								
** Unaudited balances and transfers - See note below.	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
General Fund CIP								
<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
Total Resources	\$ 3,602,251	\$ 3,527,251	\$ 3,372,251	\$ 2,231,201	\$ 1,931,201	\$ 1,931,201		\$ 12,993,105
Mulberry Park - Restroom Facility		\$ 200,000						\$ 200,000
Holly Street Esplanade - Additional amenities and plantings for the Holly Street Esplanade Project			\$ 50,000	\$ 50,000	\$ 50,000	\$ 100,000		\$ 250,000
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.		\$ 120,000						\$ 120,000
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.	\$ 150,000							\$ -
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.	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000				\$ 300,000
Park Signage Master Plan and Implementation - Includes all signage used in City of Bellaire Parks.	\$ 50,000	\$ 100,000	\$ 100,000	\$ 100,000				\$ 300,000
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.	\$ 75,000							\$ -
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.	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000		\$ 10,000,000
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.	\$ 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.**

Five Year Capital Improvement Plan								
** Unaudited balances and transfers - See note below.	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
Flood Plain Hazard Mitigation Plan - 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							\$ -
Impound Lot Relocation and Build Out - Relocate current police department impound lot from Bellaire Town Square to public works service center.		\$ 100,000						\$ 100,000
City-Wide Signage Enhancements Project - 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
Park Upgrades after Municipal Facilities Project - 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
Update to the Facilities Master Plan - 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
Signature Corner Design - 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
Permanent Restroom Facility - Provide a permanent restroom facility at Lafayette Park.			\$ 200,000					\$ 200,000
Loftin Park Irrigation System - Irrigation system for the existing trees and turf located within Loftin Park.			\$ 90,000					\$ 90,000
Ware Park - Picnic pavilion design and construction at Ware Park.				\$ 50,000				\$ 50,000
Paseo Park West Expansion 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
Total General Fund CIP	\$ 2,500,000	\$ 2,795,000	\$ 3,441,050	\$ 2,350,000	\$ 2,100,000	\$ 2,100,000		\$ 12,786,050
Total Ending Balance	\$ 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 & Beautification Master Plan (2242 : Consideration-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
Enterprise Fund CIP								
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	\$ -		
Total Resources	\$ 555,000	\$ 155,000	\$ 255,000	\$ 155,000	\$ 230,000	\$ 155,000		
Rehabilitation of the Renwick Ground Storage Tank - 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							\$ -
Wendell Lift Station - Improvements to the lift station infrastructure.			\$ 100,000					\$ 100,000
Central Water Plant Electrical Upgrades - 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
Total Enterprise Fund CIP	\$ 400,000	\$ -	\$ 100,000	\$ -	\$ 75,000		\$ -	\$ 175,000
Total Ending Balance	\$ 155,000	\$ 155,000	\$ 155,000	\$ 155,000	\$ 155,000		\$ -	\$ 620,000

The CIP beyond FY 2018
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Attachment: FY 18-22 CIP & Beautification Master Plan (2242 : Consideration-CIP)

Five Year Capital Improvement Plan								
** Unaudited balances and transfers - See note below.	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
Bond Funds								
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		
Total Resources	\$ 43,610,000	\$ 10,150,000	\$ 12,650,000	\$ 9,630,000	\$ 14,500,000	\$ 13,000,000		
Streets and Drainage - 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
Sidewalks - 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
New Municipal Buildings - Funding for the construction of the new city hall/civic center and new police/municipal courts buildings.	\$ 18,160,000							\$ -
Water Line Improvements - 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
Wastewater Line Improvements - 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
Performance Contract Project - 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							\$ -
Library - Design and construction for new Library building.				\$ 500,000	\$ 4,000,000			\$ 4,500,000
Other Parks - Additional needs at other parks in the COB system, including restrooms, lighting, parking lots, and various other amenities.				\$ 1,000,000				\$ 1,000,000
Public Works Building - Funding for land acquisition, design, and construction of a new Public Works Building.				\$ 1,000,000	\$ 3,000,000			\$ 4,000,000
Evergreen Park - Per the Evergreen Park Master Plan, this project includes design and construction of the Park.				\$ 500,000	\$ 4,000,000			\$ 4,500,000
Total Bond Fund CIP	\$ 43,610,000	\$ 10,150,000	\$ 12,650,000	\$ 10,130,000	\$ 18,000,000	\$ 9,000,000	\$ -	\$ 59,930,000
Total Ending Balance	\$ -	\$ -	\$ -	\$ (500,000)	\$(3,500,000)	\$ 4,000,000	\$ -	\$ -

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

Attachment: FY 18-22 CIP & Beautification Master Plan (2242 : Consideration-CIP)

Five Year Capital Improvement Plan								
** Unaudited balances and transfers - See note below.	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
UNFUNDED PROJECTS								
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

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

Attachment: FY 18-22 CIP & Beautification Master Plan (2242 : Consideration-CIP)

Five Year Capital Improvement Plan									
Projects Identified in Visioning Bellaire: Urban Design and Beautification Conceptual Master Plan									
**Unaudited balances and transfers-See note below.		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
First Steps									
	1. Bellaire Street Lighting -Build Newcastle Street Lighting							\$185,000.00	
	2. Neighborhood Streets -Build One Block Neighborhood Street Prototype							\$756,509.00	
	3. Perimeter Gateways -Build City Gateway on Bellaire Boulevard at Railroad Tracks							\$852,720.00	
	4. West Loop Gateways -Build City Gateway on Bellaire Boulevard at West Loop							\$1,674,000.00	
	5. Coastal Prairie Park South and Stormwater Detention -Detention, Planting, Hike and Bike Trails, Neighborhood Connections							\$5,000,000.00	
	6. Build Bellaire Boulevard and Paseo Park -New Street, Bellaire Circle, Sidewalks, Bike Lanes, Street Trees, Lighting, Planting, Bio-retention Gardens							\$13,804,212.00	
Urban Elements-Branding Bellaire									
<i>Bellaire Street Lighting</i>	Bellaire Urban Elements Detailed Design (Lighting, Signalization, and Signage)							\$100,000.00	
	Implement Along Neighborhood Streets Not Planned For Reconstruction							TBD	
	Implement As Part of Future Street Reconstruction							TBD	
<i>Bellaire Traffic Signalization</i>									
	Bellaire Boulevard @ South Rice							\$120,000.00	
	Implement Together With Future Street Reconstruction							TBD	
<i>Bury Overhead Power Lines</i>	Intersection of Bellaire Boulevard and South Rice							\$1,368,000.00	
Neighborhood Streets									
<i>General</i>	Detailed Urban Design Standards and Engineering							\$250,000.00	
<i>Sidewalks</i>	Implement As Part of Future Street Reconstruction							\$87.00	
<i>Bellaire Intersections with, w/o Art</i>	Implement As Part of Future Street Reconstruction							\$29,000.00	
<i>Bio-Retention Gardens</i>	Implement As Part of Future Street Reconstruction							\$230.00	
Connector Streets									
<i>Newcastle</i>	Bellaire Intersections, Sidewalks, Street Trees, Lighting, Planting, Bio-Retention Gardens							\$9,081,245.00	
West Loop Motor Courts									
<i>General</i>	Traffic Impact Study & Dedication of Access Easements							TBD	
Coastal Prairie Park									
<i>General</i>	Coastal Prairie Park Preliminary Design							TBD	
Urban Village Downtown									
<i>Complete/Parking Streets and Shared Detention</i>	Build Transition Alley Between Ferris & 5th							\$847,436.00	
	Build Complete Streets-Spruce, Cedar, Ferris & 5th							\$14,759,402.00	
City Gateways									
<i>West Loop Gateways</i>	Fournace Place @ West Loop							TBD	
<i>Perimeter Gateways</i>	South Rice @ Cypress Ditch							\$852,720.00	
Total Unfunded				\$50,000	\$270,000	\$4,100,000		\$55,380,561.00	\$59,800,561.00

****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.**



CITY OF BELLAIRE

Planning and Zoning Commission

April 12, 2016

To: Mayor and City Council
 From: Winfred Frazier, Chairman, Planning & Zoning Commission
 CC: John McDonald, Director of Development Services
 Subject: Report and Recommendation on the City of Bellaire's 2018-2022 Draft Five Year Capital Improvement Plan

Chapter 24, Planning and Zoning, Sec. 24-402, Capital Improvement Program, requires that the Planning and Zoning Commission "review and comment on the consistency of the program with the adopted comprehensive plan." With the completion of Terrain Studios' Visioning Bellaire: Urban Design and Beautification Conceptual Master Plan, the Commission was also tasked with determining which, if any, of the suggested projects listed within the Master Plan should be incorporated into the CIP.

On Tuesday, February 14, 2017, City of Bellaire Project Manager, Michelle Jordan, with the help of City Manager, Paul Hofmann, presented the City's Draft Five Year Capital Improvement Plan (CIP) to the Commission. Some concerns and questions voiced by the Commission, during the presentation, were as follows:

- Does the City have numbers of what has been spent on previous projects to use as a guide when allocating funds?
- Is there any money allocated in 2018 for the Beautification Master Plan?
- Has enough money been forecasted for the improvement of streets and drainage for the City, as a whole?
- How does the City determine what streets/projects take precedent?
- Why are future transfers of funds into the Enterprise Fund so low?
- Are complaints made via the Resident Request Tracker taken into account when preparing the CIP?

Mr. Hofmann and Ms. Jordan responded to each question asked.

RECOMMENDATION

Further discussion of the CIP occurred during the Commission's Regular Session on March 14, 2016, and again in a Workshop Session on April 11, 2017. Consideration of the item took place during the Regular Session of April 11, 2017.

Attachment: CIP Memo-April 2017 (2242 : Consideration-CIP)

The Commission feels that the CIP appropriately reflects the goals and objectives of the Comprehensive Plan, but suggested that the following projects called out in the Beautification Master Plan be included:

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Additionally, the Commission felt that the following items within the CIP should be addressed:

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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: