

# CITY OF BELLAIRE TEXAS

## PLANNING AND ZONING COMMISSION

JANUARY 11, 2018

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Council Conference Room and Council Chamber  
5:00 PM

Workshop & Regular Session

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7008 S. RICE AVENUE  
BELLAIRE, TX 77401



### Chairman

Mr. Dirk Stiggins

### Commissioner

Jonathan Saikin

### Commissioner

Ross Gordon

### Vice Chairman

Marc Steinberg

### Commissioner

Mike Axelrad

### Commissioner

Weldon Taylor

### 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****A. Update on the work done by the Floodplain Mitigation Task Force and discussion on if/how the Commission could contribute to those efforts.**

B. Discussion on the Commission's list of priorities for the 2018 term.

**B. REGULAR SESSION****I. CALL TO ORDER AND ANNOUNCEMENT OF QUORUM****II. APPROVAL OF MINUTES FROM PAST MEETINGS**

1. Planning and Zoning Commission - Regular Session - Nov 9, 2017 6:00 PM

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

**Persons at the meeting who have indicated their desire to be heard on matters of general interest to the Commission by submitting the form provided shall have three minutes to present their comments. The Commission is not permitted to fully discuss, debate, or consider items that are not on the agenda. Questions presented to the Commission may be referred to staff.**

**V. PUBLIC HEARINGS**

A. Docket # SU-2018-01-Public hearing on a request filed by Stone & Stone, LLC, on behalf of "Let Us Play," as applicant, for a Specific Use Permit as required by the City of Bellaire Code of Ordinances, Chapter 24, Planning and Zoning, Section 24-605, Application for Specific Use Permit, to allow for the use of 1,402 square feet of existing building located at 5202 Cedar Street, as a kindergarten, nursery, and/or daycare center, as provided for in section 24-537 B.(2)b)2) of the City of Bellaire Zoning Code. The property is located within the Urban Village Downtown (UV-D) Zoning District.

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

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

**E. Response of Applicant****F. Questions from the Commission****G. Invitation for Written Comments, if applicable****H. Closure of the Public Hearing****VI. CURRENT BUSINESS (ITEMS FOR DISCUSSION, CONSIDERATION, AND/OR POSSIBLE ACTION)**

1. Docket # AR-2017-09-Amending plat of Lots Thirty-Two (32), Thirty-Three (33), and Thirty-Four (34), of Banner Place, and addition in Harris County, Texas, according to the map or plat thereof recoded in Volume 27, Page 62 of the Map Records of Harris County, Texas. The properties are addressed as 110,112, and 114 Beverly Lane, and are located within the R-3 Zoning District.
2. Approval of the Planning and Zoning Commission's 2017 Annual Report to City Council.
3. Approval of the Planning and Zoning Commission's 2018 Submittal Deadline Calendar.

**VII. COMMITTEE REPORTS****VIII. CORRESPONDENCE****IX. REQUESTS FOR NEW BUSINESS, ANNOUNCEMENTS AND COMMENTS**

- A. Staff liaison report on the status of projects previously addressed by the commission as well as projects for future meetings.**
  - a. Update on the 2019-2023 Capital Improvement Plan**
- B. The Chairman shall recognize any Commissioner who wishes to bring New Business to the attention of the Commission. Consideration of New Business shall be for the limited purpose of determining whether the matter is appropriate for inclusion of a future Agenda of the Commission or for the referral to staff for investigation**

**X. ADJOURNMENT**

**Planning and Zoning  
Commission**

Council Chamber, First Floor of City  
Hall  
Bellaire, TX 77401-4411



Meeting: 01/11/18 05:00 PM  
Department: Development Services  
Category: Discussion  
Department Head: ChaVonne  
Sampson  
DOC ID: 2435

**SCHEDULED  
INFORMATION ITEM (ID  
# 2435)**

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**Item Title:**

B. Discussion on the Commission's list of priorities for the 2018 term.

**Background/Summary:**

This is for the discussion of potential items of business for the Commission's 2018 term, to include:

1. Bellaire Boulevard Estate Overlay District
2. Regulations on parking Garages located in commercial areas that abut residential properties
3. Floodplain Mitigation Plan
4. Beautification Master Plan

The Commission has had several discussions regarding the Beautification Master Plan in previous meetings. Those minutes are attached for the Commission's review.

**ATTACHMENTS:**

- BMP Minutes (PDF)

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

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

Mr. McDonald informed the Commission that Terrain Studios has completed the City's Urban Design and Beautification Conceptual Master Plan, and that City Council has voted to send it to the Commission for review and approval. He also mentioned that the Commission's review of the Capital Improvement Plan (CIP) is quickly approaching and that it would be appropriate for the Commission to compare the projects listed within the CIP to the projects that are suggested within the Beautification Master Plan, as well as the Comprehensive Plan, to determine if there is anything that they feel should be added. Mr. McDonald stated that Cheryl Bright, Assistant Director of Parks, Recreation, and Facilities was present to give the Commission some background information and to answer any questions that they may have.

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

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

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

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

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

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

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



# CITY OF BELLAIRE TEXAS

## PLANNING AND ZONING COMMISSION

FEBRUARY 21, 2017

Senior Activities Room

Workshop Session

6:00 PM

7008 S. RICE AVENUE  
BELLAIRE, TX 77401

### WORKSHOP SESSION-SENIOR ACTIVITIES ROOM

#### I. Call to Order & Announcement of Quorum

Chairman Frazier called the workshop to order at 6:00 PM, and announced that a quorum was present consisting of the following members:

Attendee Name	Title	Status	Arrived
Jonathan Saikin	Commissioner	Absent	
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	
Trisha S. Pollard	Council Member	Present	
Ashley Parcus	Secretary	Absent	

#### II. Review and discussion of Visioning Bellaire: Urban Design and Beautification Conceptual Master Plan.

The workshop began with a discussion on the direction that P&Z needed to go in order to appropriately review the Beautification Master Plan. This discussion included the following topics:

- The bond package and future improvements to the City
- The projects/goals that overlap between the Beautification Master Plan and the Comprehensive Plan
- Incorporating the design concepts into the rebuilding of the streets

Commissioner Thorogood mentioned that the last Comprehensive Plan focused more on commercial development, and not residential.

Commissioner Axelrad asked about the funding sources for the beautification efforts.

Mr. McDonald explained that other cities use Community Development Block Grants to help fund these types of projects. He also pointed out that the City has to be thinking about the life of the existing bonds, and at what point the tax base is overburdened. Mr. McDonald stated that he would reach out to the City's CFO again concerning the projections for debt/tax rate for the next five years.

Vice Chairman Stiggins suggested that the Commission figure out a way to fit the ideas and standards from the Beautification Master Plan into the CIP and incorporate it into a

Attachment: BMP Minutes (2435 : Priorities 2018)

forward thinking process.

The Commission had the following questions for the City Engineer:

- What is the bio swales retention when compared to the volume in flood?
- How much of an impact do the bio swales make?
- What is the capacity of a flood event?
- Civil engineering issue - bio detention panel?
- How much does it cost to maintain bio-swales?
- How much does it cost the homeowner? City?

Mr. McDonald informed the Commission that he would get those answers from James Andrews, the City Engineer.

Commissioner Thorogood asked what the responsibility is of the City to the commercial land owners. He mentioned that this might be a good topic of discussion for a City Council workshop.

Commissioner Steinberg suggested that the Commission work to include the concepts of the Beautification Master Plan into the CIP and let City Council worry about the funding of the projects. He also pointed out that the budget numbers give an idea of how to score the project. Commissioner Steinberg questioned whether the Parks Board has reviewed the Beautification Master Plan, if they could include some of the concepts in the Parks Master Plan, and if they recommend anything that is not included within the Comprehensive Plan.

Commissioner Skinner mentioned that first, the Comprehensive Plan needs to be amended based on the Beautification Master Plan.

Commissioner Steinberg suggested that the Commission pick five (5) things from the Beautification Plan to integrate into the Comprehensive Plan. He added that he would like to see the focus be on infrastructure, as he is very concerned with the overall structure of the City.

Commissioner Skinner mentioned that it needs to be tied into the Capital Improvement Plan (CIP) as well, because funding sources need to be established so that there is a better idea of how the City is going to maintain the beautification projects.

Chairman Frazier mentioned the initiative to bury power lines and stated that zoning and the Comprehensive Plan only govern the commercial sectors of the City.

The Commission then suggested that the unfunded infrastructure projects and long term numbers on street repairs and drainage be listed on the CIP.

Vice Chairman Stiggins mentioned that the projects have to be prioritized, and asked how much will be needed beyond 2022.

Mr. McDonald stated that in March, the Commission can begin taking a look at how

Mr. McDonald explained that the property is not being re-zoned. He added that the request is to take it out of the overlay district, but not to rezone it from R-5.

Attorney Petrov agreed and added that spot zoning occurs when a property is rezoned to something completely different than what the surrounding properties are zoned as.

Commissioner Saikin mentioned the insufficient drainage for the property and asked why the owners were not required to mitigate for that.

Mr. McDonald explained that the church has been in existence longer than the City's current drainage requirements have been in effect.

Commissioner Saikin added that, in his opinion, Dallas Christian College should have done what they could to help alleviate the issue of flooding on the property. He stated that he felt as though the granting of this request would be, in an essence, rewarding them for being bad neighbors. Commissioner Saikin also reiterated that he is concerned about whether there will be any demand for residential homes on this site, and if the location of the property will result in a lesser product than what is consistent with the rest of Bellaire.

Chairman Frazier mentioned that the zoning for this area is already inconsistent, and that he is concerned that the granting of this request will negatively impact the purpose for which the BBOD was created. He added that he will be voting against the application for that reason.

<b>RESULT:</b>	<b>FAILED [0 TO 5]</b>
<b>MOVER:</b>	Dirk Stiggins, Vice Chairman
<b>SECONDER:</b>	Mike Axelrad, Commissioner
<b>NAYS:</b>	Saikin, Axelrad, Frazier, Stiggins, Skinner
<b>ABSENT:</b>	Thorogood, Steinberg

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

The Commission asked that a bullet point be added to the report regarding the fact that the Commission feels as though the base zoning for the entire BBOD is inconsistent and should be addressed in its entirety so as not to negatively impact the overlay district and the purpose for its creation.

<b>RESULT:</b>	<b>ADOPTED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Jonathan Saikin, Commissioner
<b>SECONDER:</b>	Mike Axelrad, Commissioner
<b>AYES:</b>	Saikin, Axelrad, Frazier, Stiggins, Skinner
<b>ABSENT:</b>	Thorogood, Steinberg

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

The Commission voted to approve the Report and Recommendation to City Council with the following suggestions for inclusion:



- The addition of gateways at each of the main entrances to the City, similar to what is mentioned within the Beautification Master Plan.
- Estimated funding for water and wastewater lines, streets, drainage, and pavement management programs beyond the year 2022.
- A line item in the year 2020 for community pathways implementation to include safe crossings at 610 underpasses, with additional lighting for improved visibility.

<b>RESULT:</b>	<b>ADOPTED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Dirk Stiggins, Vice Chairman
<b>SECONDER:</b>	S. Lynne Skinner, Commissioner
<b>AYES:</b>	Saikin, Axelrad, Frazier, Stiggins, Skinner
<b>ABSENT:</b>	Thorogood, Steinberg

## **VII. Committee Reports**

There were no committee reports.

## **VIII. Correspondence**

There was no 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.**

Mr. McDonald informed the Commission that HEB has been demolished and that they should begin construction soon. He also mentioned that City Council heavily amended the proposed changes to the Comprehensive Plan, and suggested that the Commission take a look at what changes were made. He added that he has almost completed the site plan review for the Bellaire Town Center, and that there are still no updates on Bellaire High School.

Chairman Frazier mentioned that the parking lot for the Bellaire Town Center has a tendency to flood, and asked if that was being taken into consideration with the redevelopment of the site.

Mr. McDonald explained that the retention of water in a parking lot is not always a bad thing, as it could have been designed to hold water. He added that the building is going to be shifted and they are actually reducing the amount of impervious coverage on the site, which should help. Mr. McDonald mentioned that once the building plans have actually been submitted the drainage will be reviewed.

Chairman Frazier asked if there were any updates on the Chevron and Shell properties.

Mr. McDonald stated that he feels as though the property owners are still trying to understand what exactly is allowed, based on what City Council voted on. He added that the Commission could possibly see a request for a specific use permit or a planned development for the Shell property to allow for some sort of commercial or retail office project.

Mr. Bankhead stated that there will be a small one, but nothing significant as it will only be for junior varsity games.

Commissioner Thorogood asked what the months of use would be for the field.

Mr. Bankhead stated that he would have to get more information on that. He then thanked everyone for all of the input and stated that they will be taking those things to heart. He mentioned that he hoped that the Commission can see their way to approving the plan with the condition that some changes are made that were suggested during the public hearing.

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

Mr. McDonald reminded the Commission that beginning in July, the meetings will be moved to the second Thursday of the month to accommodate for courts, which means the July meeting will be on the 13th. He then stated that written comments on the application will be received until July 5th, at 5:00 PM.

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

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

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

**The public hearing was closed at 8:59 PM.**

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

### **1. Consideration and possible action on a request to staff to present a plan forward on Visioning Bellaire: Urban Design and Beautification Conceptual Master Plan.**

**Motion:** a motion was made by Commissioner Steinberg and seconded by Commissioner Skinner to request staff to present a plan on Visioning Bellaire: Urban Design and Beautification Conceptual Master Plan.

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

Chairman Frazier then asked Mr. McDonald if the Commission would be in the position to vote on the Bellaire High School application at the July meeting considering all of the concerns and proposed changes that were discussed during the public hearing.

Mr. McDonald explained that if the only change in the site plan is regarding the path of travel for the garage then an additional public hearing would not be required. He recommended moving forward with the consideration at the July meeting and then letting the Commission determine whether or not they feel comfortable voting on the item.

Commissioner Steinberg asked if the City could give HISD a deadline for submitting the additional materials and mentioned that he would not feel comfortable voting on the item if a site plan was not sent out to the public prior to the meeting.



# CITY OF BELLAIRE TEXAS

## PLANNING AND ZONING COMMISSION

NOVEMBER 9, 2017

Council Chamber

Regular Session

6:00 PM

7008 S. RICE AVENUE  
BELLAIRE, TX 77401

### I. CALL TO ORDER AND ANNOUNCEMENT OF QUORUM

Chairman Stiggins called the meeting to order 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	
Ross Gordon	Commissioner	Present	
Weldon Taylor	Commissioner	Present	
Marc Steinberg	Vice Chairman	Present	
Dirk Stiggins	Chairman	Present	
S. Lynne Skinner	Commissioner	Absent	
ChaVonne Sampson	Development Services Manager	Present	
Zachary Petrov	Assistant City Attorney	Present	
Ashley Parcus	Secretary	Present	
Trisha S. Pollard	Council Member	Present	

### II. APPROVAL OF MINUTES FROM PAST MEETINGS

A. Planning and Zoning Commission - Regular Session - Oct 12, 2017 6:00 PM

Chairman Stiggins made one correction to the minutes.

**RESULT:**           **APPROVED AS CORRECTED [UNANIMOUS]**  
**MOVER:**           Mike Axelrad, Commissioner  
**SECONDER:**       Marc Steinberg, Vice Chairman  
**AYES:**            Saikin, Axelrad, Gordon, Taylor, Steinberg, Stiggins  
**ABSENT:**          Skinner

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

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

### IV. GENERAL PUBLIC COMMENTS

Minutes Acceptance: Minutes of Nov 9, 2017 6:00 PM (Approval of Minutes from Past Meetings)

**Persons at the meeting who have indicated their desire to be heard on matters of general interest to the Commission by submitting the form provided shall have three minutes to present their comments. The Commission is not permitted to fully discuss, debate, or consider items that are not on the agenda. Questions presented to the Commission may be referred to staff.**

**Lynn McBee**-Ms. McBee thanked staff for including the old minutes regarding the townhome development on Palmetto in the packet. She also mentioned that all public comments during public hearings should list the names of the speakers, and felt that they should be called separately based on whether they support or oppose the application.

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

- A. Docket #Z-2017-03-Consideration of an application filed by John Parker, executor of the estate of Virginia W. Bohn, owner of the property at 5217 Palmetto, for an amendment to the Official Zoning District Map to re-zone the properties at 5217 and 5221 Palmetto from their current designation of R-4, Residential District, to R-5, Residential District, pursuant to Chapter 24, Section 24-603, Application for Amendment to Written Text or Official Zoning District Map of the City of Bellaire, Texas.

Ms. Sampson explained that staff was able to find some minutes from the late 60's dealing with the creation of the town home development on Palmetto, and that those were included in their packet. She added that in reading the minutes, one can speculate that the reason the two properties in question were not included in the development is due to the fact that they were not available for purchase by the developer at that time. She then reiterated that this request is simply to re-zone 5217 and 5221 Palmetto from R-4 to R-5 Zoning, which due to the size of the lots, would have no impact on the standard zoning regulations for the properties. Ms. Sampson reviewed staff's recommendation with the Commission stating that the Comprehensive Plan's Future Land Use Map calls these properties out as "General Residential," which neither supports nor opposes the request and that because of this, staff does not oppose the granting of the application.

Commissioner Taylor mentioned that Goal 2.2 of the Comprehensive Plan refers to allowing for greater housing choices in Bellaire to accommodate for "lifecycle needs," and "spurring redevelopment in under-utilized areas of the community through promotion of alternative housing types." He stated that he feels as though this supports the request. Commissioner Taylor then mentioned that the term "spot zoning" has been referred to several times regarding this application and asked Attorney Petrov to explain why this would not come into play in this case.

Attorney Petrov stated that spot zoning takes place when a property is re-zoned to a zoning district that is incompatible with its surroundings. In this case, due to the fact that the properties are bordered on three sides by R-5 zoning, the re-zone would not be in appropriate.

Commissioner Gordon stated that he had taken a look at the zoning map to determine if there are any other properties within the City of Bellaire that are in a similar position. He added that these seem to be one of the only instances where properties have been left out of the surrounding zoning. He then mentioned the two properties on the other end of Palmetto that were also left out of the development

and asked if they would be given the same opportunity to come before the Commission to request a re-zone.

Ms. Sampson confirmed that based upon the situation and the surrounding zoning, those properties would be given the same opportunity.

<b>RESULT:</b>	<b>APPROVED [5 TO 0]</b>
<b>MOVER:</b>	Weldon Taylor, Commissioner
<b>SECONDER:</b>	Mike Axelrad, Commissioner
<b>AYES:</b>	Saikin, Axelrad, Gordon, Taylor, Stiggins
<b>ABSENT:</b>	Skinner
<b>RECUSED:</b>	Steinberg

- B. Approval of the Commission's Report and Recommendation to City Council regarding the request to re-zone the properties at 5217 & 5221 Palmetto.

Staff informed the Commission that a draft had been prepared and could be revised by the Commission as it deems necessary.

The Commissioners asked that the comment regarding the Comprehensive Plan be added.

Staff assured the Commission that a paragraph for consideration would be added that would detail the Commission's discussion.

<b>RESULT:</b>	<b>ADOPTED AS AMENDED [5 TO 0]</b>
<b>MOVER:</b>	Mike Axelrad, Commissioner
<b>SECONDER:</b>	Weldon Taylor, Commissioner
<b>AYES:</b>	Saikin, Axelrad, Gordon, Taylor, Stiggins
<b>ABSENT:</b>	Skinner
<b>RECUSED:</b>	Steinberg

## VI. COMMITTEE REPORTS

There were no committee reports.

## VII. CORRESPONDENCE

There was no correspondence.

## VIII. REQUESTS FOR NEW BUSINESS, ANNOUNCEMENTS AND COMMENTS

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

Ms. Sampson reminded the Commission that there will be a training session on Thursday, November 16th. She added that during the training, staff will have a conversation with the Commission on the topics that have been brought forward as new business items. Ms. Sampson stated that during that time, staff would like for the Commissioners to determine which of the topics are priorities and which can be put to the side for the time being. She informed the Commission that the items on that list are as follows:

1. Potential changes to the Bellaire Boulevard Estate Overlay District

2. Regulations regarding parking garages in commercial zoning districts
3. The incorporation of the Beautification Master Plan into the Comprehensive Plan
4. The Commission's participation in the Floodplain Mitigation Plan

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

Vice Chairman Steinberg asked if there had been any updates on the Chevron property and if the City has had any meetings with potential buyers.

Ms. Sampson explained that she has had several meetings with interested parties regarding the interpretation of the changes made to the code and Comprehensive Plan.

Vice Chairman Steinberg also asked if there had been any updates on the construction of the development that was approved several years back at the corner of Newcastle and Bissonnet.

Ms. Sampson stated that the properties are still tied up in court regarding the title issue.

Commissioner Saikin mentioned that he will not be able to make it to the training session. He added that he feels as though the number one priority should be the Floodplain Mitigation Plan, with the issue of parking garages in commercial districts coming in second.

Commissioner Axelrad also stated that he will not be in attendance for the training session.

## **IX. ADJOURNMENT**

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

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

**The meeting was adjourned at 6:36 PM.**

**Planning and Zoning  
Commission**

Council Chamber, First Floor of City  
Hall  
Bellaire, TX 77401-4411



Meeting: 01/11/18 05:00 PM  
Department: Development Services  
Category: Public Hearing  
Department Head: ChaVonne  
Sampson  
DOC ID: 2431

**SCHEDULED  
ACTION ITEM (ID # 2431)**

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**Item Title:**

A. Docket # SU-2018-01-Public hearing on a request filed by Stone & Stone, LLC, on behalf of "Let Us Play," as applicant, for a Specific Use Permit as required by the City of Bellaire Code of Ordinances, Chapter 24, Planning and Zoning, Section 24-605, Application for Specific Use Permit, to allow for the use of 1,402 square feet of existing building located at 5202 Cedar Street, as a kindergarten, nursery, and/or daycare center, as provided for in section 24-537 B.(2)b)2) of the City of Bellaire Zoning Code. The property is located within the Urban Village Downtown (UV-D) Zoning District.

**Background/Summary:**

The applicant is requesting a Specific Use Permit (SUP) for the operation of a day care center as required under Sec.24-537, Urban Village Downtown (UV-D) Zoning District. The facility is relocating from its previous location at 5202 Bissonnet, for which the applicant received a specific use permit via Ordinance No. 13-009 in February of 2013. No conditions were placed on the previous SUP.

Let Us Play intends to lease 1,402 square feet of an existing shopping center owned by Sagstex Investments, LP. Minimum build out will be done to meet the applicant's needs, which will only consist of converting one of the two restrooms for wheelchair accessibility.

**Site Details**

Property Owner: Sagstex Investments, LP  
Applicant: Mindy Rosenthal  
DBA: Let Us Play

**Location:** 5202 Cedar Street

**Legal Description:** Lot 23, in Block 45, of the Town of Bellaire, Harris County, Texas, recorded in Volume 3, Page 59, of the Map Records of Harris County, Texas and the adjoining South five (5) feet of the abandoned alley, as conveyed by the City of Bellaire, by instruments recorded under Clerk's File No(s). R309009 and S228250 of the real property records of Harris County, Texas.

**Current Zoning:** UVD, Urban Village, Downtown

**Requested Zoning:** UVD, Urban Village, Downtown (SUP)

**Notice Information**

**Owners of property and Tenants within 500 feet:** 75 letters mailed

**Notification letters mailed:** December 27, 2017

**Legal Notice published:** December 19, 2017

**Notification Signs Posted:** December 23, 2017

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** UVD

**Current Land Use:** Commercial

**Direction:** East

**Current Base Zoning:** UVD  
**Current Land Use:** Commercial

**Direction:** South  
**Current Base Zoning:** UVD  
**Current Land Use:** Commercial

**Direction:** West  
**Current Base Zoning:** UVD  
**Current Land Use:** Commercial

**Transportation**

**Thoroughfare:** Cedar Street

**Existing Character:** Local Street; one lane in each direction; no sidewalks

**Proposed Changes:** No proposed improvements.

**Public Transit:** No stops in the immediate vicinity of this location.

**Traffic Impact:** No Traffic Impact Analysis was requested or supplied.

**Parking:** One (1) space per every employee on duty during peak shifts plus one ( 1 ) per every five (5) children when facility reaches capacity is the required onsite parking spaces based on Table 24-514a.A of the City of Bellaire Code of Ordinances. The applicant has stated that 43 onsite parking spaces currently exist and has been asked to provide additional information on parking during the public hearing presentation.

**Utilities**

No utility issues.

**Public Safety**

**Fire:** The Fire Marshal will conduct an inspection prior to the issuance of a Certificate of Occupancy.

**Recommendation:**

This item is only on the agenda as a public hearing. Consideration of the application is scheduled for the Commission's February 8th meeting.

**ATTACHMENTS:**

- 5202 Cedar SUP Application-Let us Play (PDF)



**STONE & STONE, LLC  
ATTORNEYS AT LAW**

5212 Linden Street, Suite 202  
Bellaire, Texas 77401 3929

713 666 7501

[lonestone@att.net](mailto:lonestone@att.net)

CITY OF BELLAIRE  
RECEIVED  
DEC 08 2017  
DEVELOPMENT SERVICES

December 8, 2017

Chairman, Planning and Zoning Commission  
City of Bellaire  
7008 South Rice Avenue  
Bellaire, Texas 77401

**HAND DELIVERED**

Re: Application for Specific Use by  
Mindy Roberts Rosenthal, d/b/a  
Let Us Play

Dear Mr. Chairman,

On behalf of Let us Play, here is our Application for a Specific Use Permit, Certificate of Title Insurance from ~~Stewart Title~~, and Sagstex Investment's check for \$1055 to cover the application fee

Please let this letter serve as our request for a hearing before Bellaire's Planning and Zoning Commission at the earliest possible date.

Thank you,

Yours truly,

William E. Stone III

Cc: Mindy Rosenthal (Applicant), Sion Saghian

Attachment: 5202 Cedar SUP Application-Let us Play (2431 : Let Us Play SUP-PH)

**APPLICATION FOR SPECIFIC USE PERMIT**  
**PURSUANT TO SECTION 24-605**

December 8, 2017

- (1) **Name:** Mindy Roberts Rosenthal d/b/a Let Us Play, Owner  
**Address:** 5303 Yarwell Drive, Houston, Texas 77096 5118
- (2) **Applicable Bellaire City Ordinance:** Section 24-605
- (3) **Legal Description and Street Address:** 5202 Cedar Street, Bellaire, Texas 77401. Lot 23, Block 45 & Adj S 5 Ft of abandoned alley, Bellaire
- (4) **Statement of Ownership:** The subject property was purchased by Sagstex Investments in 2017. Innovative Title's Certificate is attached.
- (5) **Proposed Specific Use:** Applicant has an ongoing business under the name of Let Us Play. It is currently located at 5202 Bissonnet Street, Bellaire, Texas 77401, and before that, the business was located at 4813 Bissonnet Street, Bellaire, Texas. Applicant desires to move to the new location listed in number 3 above. Applicant's business is an hourly drop-off play-care center that provides a safe, caring & fun environment for children while parents are busy. Let Us Play allows Parents to leave their children, ages 18 months to 12 years, on an hourly basis for a maximum of 4 hours per visit. The facility has educational and recreational toys, play areas, etc. The business is not a daycare, nursery, or 'Mother's Day Out' facility.
- (6) **Environmental Assessment Statement:** Applicant intends to lease 1402 square feet of an existing shopping center owned by Lessor Sagstex Investments. There will not be any environmental impact as the building is in place, has met all city codes, and the work required to build it out to Applicant's needs will be minimal (conversion of one of the two bathrooms to wheelchair accessible), and will be done by the Lessor.
- (7) **Other Information and Documentation:** Applicant's current business location at 5202 Bissonnet Street has been operating under a Specific Use Permit from Bellaire's Planning and Zoning Commission that was granted to this business under a prior Applicant. The current request being made is to continue with Applicant's current business at a different location nearby.

Attachment: 5202 Cedar SUP Application-Let us Play (2431 : Let Us Play SUP-PH)



CITY OF BELLAIRE  
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DEC 08 2017

DEVELOPMENT SERVICES

**CITY PLANNING LETTER**

Effective Date: December 4, 2017

December 8, 2017

TO WHOM IT MAY CONCERN:

**Record Title In:**

SAGSTEX INVESTMENTS, L.P.

**Property Description for 5202 Cedar, Bellaire, Texas 77401:**

**Tract 1:**

Lots Twenty-two (22), Twenty-three (23) and Twenty-four (24), in Block Forty-Five (45), of the TOWN OF BELLAIRE, Harris County, Texas, recorded in Volume 3, Page 59, of the Map Records of Harris County, Texas and the adjoining South five (5) feet of the abandoned alley, as conveyed by the City of Bellaire, by instruments recorded under Clerk's File No(s). R309009 and S228250 of the Real Property Records of HARRIS County, Texas; SAVE AND EXCEPT a portion of Lot 24, Block 45, being more particularly described by metes and bounds as follows:

BEGINNING at a 3/8 inch iron rod in the West line of North 5th Street for the Southeast corner, said point being North 62.5 feet from the Northwest corner of the North 5th Street and Cedar Street and also the southeast corner of Lot 24, Block 45, of Town of Bellaire,

Attachment: 5202 Cedar SUP Application-Let us Play (2431 : Let Us Play SUP-PH)



Page 2

Harris County, Texas; THENCE West 50.00 feet to a 3/8 inch iron rod for the Southwest corner; THENCE North 52.50 feet to a 3/8 inch iron pipe in the South line of a 10 foot alley for the Northwest corner; THENCE East, along the South line of a 10 foot alley, 50.00 feet to a 3/8 inch rod in the West line of the North 5th Street for the Northeast corner; THENCE South, along the West line of North 5th Street, 52.50 feet to the PLACE OF BEGINNING.

**Tract 2:**

Part of Lot Twenty-four (24), in Block Forty-five (45), of the TOWN OF BELLAIRE, an Addition in Harris County, Texas, according to the map or plat thereof, recorded in Volume 3, Page 59, of the Map Records of Harris County, Texas and being more fully described by metes and bounds as follows:

BEGINNING at a 3/8 inch iron rod in the west line of North 5th Street for the southeast corner, said point being North 62.5 feet from the northwest corner of the North 5th Street and Cedar Street and also the southeast corner of Lot 24, Block 45, of Town of Bellaire, Harris County, Texas; THENCE West 50.0 feet to a 3/8ths inch iron rod for the southwest corner; THENCE North 52.50 feet to a 3/8ths inch iron pipe in the south line of a 10 foot alley for the northwest corner; THENCE East, along the south line of a 10 foot alley, 50 feet to a 3/8ths inch iron rod in the west line of North 5th Street for the northeast corner; THENCE South, along the west line of North 5th Street, 52.50 feet to the PLACE OF BEGINNING.

**Restrictive Covenants:**

Covenants, conditions and restrictions recorded in Volume 557, Page 618 (As to Lot 23), of the Deed Records of HARRIS County, Texas; but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.

Page 3

**Easements:**

Building set-back line(s) 20 feet in width along the front property line(s), as set forth by instrument recorded in Volume 557, Page 618, of the Deed Records of HARRIS County, Texas. (As to Lot 23)

An easement 5 feet wide located south of and adjoining the north property line, together with an unobstructed aerial easement 5 feet wide from a plane 20 feet above the ground upward, recorded under Clerk's File No. B430626 of the Real Property Records of HARRIS County, Texas.

An easement for distribution lines granted to Houston Lighting & Power Company, as set forth and defined in instrument recorded under Clerk's File No. B468491 of the Real Property Records of HARRIS County, Texas. (As to Lot 22)

Subject to any existing public utility easements and dedication of the surface for public use in alley along the North property line, as set forth in instrument filed under Clerk's File No. R309009 of the Real Property Records of HARRIS County, Texas.

**Liens:**

Vendor's Lien retained in Special Warranty Deed from MARK C. FRNKA, Joined By Wife, Jacquelyn Frnka, ProForma to SAGSTEX INVESTMENTS, L.P. dated July 5, 2017, filed for record on July 06, 2017, under Clerk's File No. RP-2017-300455, in the Real Property Records of Harris County, Texas, securing the payment of a Note of even date in the amount of \$800, 000.00, payable to Mark C. Frnka, Kevin S. Steinberg, Trustee, secured by a Deed of Trust dated July 5, 2017, filed for record on July 06, 2017, under Clerk's File No. RP-2017-300456, in the Real Property Records of Harris County, Texas.

Attachment: 5202 Cedar SUP Application-Let us Play (2431 : Let Us Play SUP-PH)

Page 4

This letter is issued with the express understanding, evidenced by the acceptance thereof, that Title Company does not undertake to give or express any opinion as to the validity or effect of the instruments listed, and this letter is neither a guaranty or warranty of title.

Liability hereunder is limited to the amount paid for same. This report is furnished solely as an accommodation to the party requesting name and should not be relied upon, as a warranty or representation as to the title to the property described herein, and may not be given to or used by any third party. Title Company assumes no liability whatsoever for the accuracy of this report, nor for any omission or error with respect hereto. YOU AGREE TO RELEASE, INDEMNIFY AND HOLD HARMLESS TITLE COMPANY BECAUSE OF ANY NEGLIGENCE BY TITLE COMPANY (WHETHER SOLE, JOINT OR OTHERWISE) FOR ANY CLAIM, LOSS, LIABILITY OR DAMAGES ARISING OUT OF THIS REPORT. This report is not title insurance. If a policy of title insurance is purchased, any liability thereunder shall be determined solely by the terms of such policy.

INNOVATIVE TITLE COMPANY

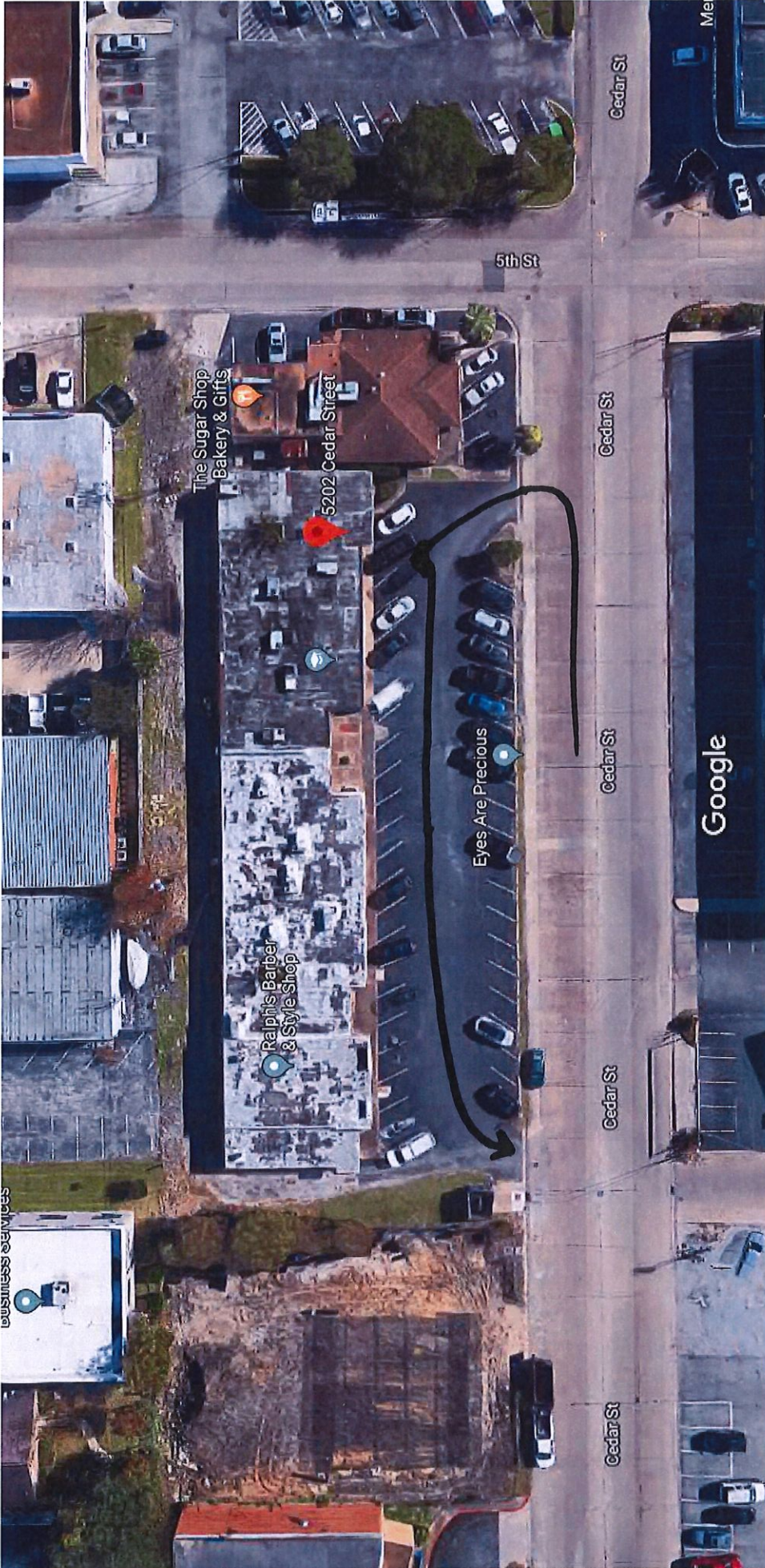
BY 

Kevin Steinberg, Manager

Attachment: 5202 Cedar SUP Application-Let us Play (2431 : Let Us Play SUP-PH)



43 parking spaces total



Imagery ©2018 Google, Map data ©2018 Google 20 ft



Google Maps 5211 Cedar St



Image capture: Dec 2016 © 2018 Google

Bellaire, Texas



Street View - Dec 2016



Attachment: 5202 Cedar SUP Application-Let us Play (2431 : Let Us Play SUP-PH)



**Sagstex Investments LP**

Sion Saghian

713-398-0049

5212 Cedar

Bellaire TX.77401

To Ashley (City of Bellaire),

Below is the information you requested from our offices.

Information for 5200 Cedar Center:

5202 Cedar Proposed child care- 1,402 sqft.

5204 Cedar Vacant 1080 sqft

5206 Cedar Dentist 750 sqft.

5208 Cedar Wellness Center 750 sqft.

5210 Cedar Music School 750 sqft.

5212 Cedar Sagtex Investments office 860 sqft.

5214 Cedar Ronda Bell 672 Sqft.

5218 Cedar Crawford wellness center 1450 Sqft.

5218 C Cedar City Homes 400 sqft.

5220 D Cedar TFI Construction 100 sqft.

5220 B Cedar Rock Eagle Ranch 600 sQFT

5222 Cedar Ralphs s Barber Shop 400 sqft.

5224 Cedar Micro Ovens of Houston 900 sqft.

5226 Cedar Rock Eagle Ranch (Storage room) 600 sqft.

Please let us know if you have any additional questions or concerns.

Sincerely,

Sion Saghian

Attachment: 5202 Cedar SUP Application-Let us Play (2431 : Let Us Play SUP-PH)

## Planning and Zoning Commission

Council Chamber, First Floor of City  
Hall  
Bellaire, TX 77401-4411



Meeting: 01/11/18 05:00 PM  
Department: Development Services  
Category: Amending Plat  
Department Head: ChaVonne  
Sampson  
DOC ID: 2434

### SCHEDULED ACTION ITEM (ID # 2434)

#### **Item Title:**

Docket # AR-2017-09-Amending plat of Lots Thirty-Two (32), Thirty-Three (33), and Thirty-Four (34), of Banner Place, and addition in Harris County, Texas, according to the map or plat thereof recoded in Volume 27, Page 62 of the Map Records of Harris County, Texas. The properties are addressed as 110,112, and 114 Beverly Lane, and are located within the R-3 Zoning District.

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

The applicant requests approval of an amending plat to combine three exiting lots. The proposed lots will meet the minimum standards for the zoning district in terms of width, depth, and minimum lot size.

While amending plats are generally approved by staff per Sec. 23.5-8, this proposal reflects a 30 foot front yard setback along the east property line and a side yard setback of 10ft along the south property line, both fronting on Beverly Lane. The property owners' opinion is that this is a corner lot, and therefore, based on Section 24-532C.(1)a)6)b. of the City's Code of Ordinances would only require a minimum side yard setback of 10 feet. Section 24-202 (49) defines a corner lot as "A lot adjoining the point of intersection of two (2) or more public streets and in which the interior angle of approximately 135 or less is formed by the extensions of the street lines in the directions which they take at their intersections with lot lines other than street lines." The director's interpretation is that this does not constitute a corner lot, and therefore requires consideration by the Planning and Zoning Commission.

#### **Site Details:**

Applicant: Patrick Cook, South Texas Surveying Associates, Inc.  
Property Owner: Scott Rubenstein

**Addresses:** 110,112,114 Beverly

**Zoning:** R-3 Residential District, Single-family  
Minimum Lot Area: 7,400 square feet  
Minimum Lot Depth: 60 feet  
Minimum Lot Width: 100 feet

**Application Date:** December 8th, 2017

#### **Recommendation:**

The Director of Development Services finds the proposed plat consistent with the regulations set forth in Chapter 23.5, Subdivisions, and recommends approval.

#### **ATTACHMENTS:**

- 110,112,114 Beverly Amending Plat Application (PDF)



**South Texas Surveying Associates, Inc.**

**Firm Number: 10045400**

11281 Richmond Avenue, Bldg. J, Suite 101, Houston, TX 77082

Phone: 281-556-6918 Website: [www.stsurvey.com](http://www.stsurvey.com) Fax: 281-556-9331

December 8, 2017

Attn: Ashley Parcus  
City of Bellaire Planning Department  
7008 South Rice Ave.  
Bellaire, TX 77401

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DEC 08 2017

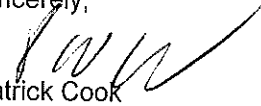
DEVELOPMENT SERVICES

RE: Amending Plat of Banner Place Addition

The property owner Scott Rubenstein wishes to combine lots 32, 33 & 34 in Banner Place Addition, into one lot. The property owner wishes to amend the lots to create one lot, and to change the side building line to 10' per city ordinance.

If you have any questions or need additional information on this project, please don't hesitate to contact us. Thank you and we appreciate your assistance.

Sincerely,

  
Patrick Cook  
Platting Department  
Phone: 281-556-6918  
[patrickc@stsurvey.com](mailto:patrickc@stsurvey.com)

Enclosed:

3 copies of proposed plat  
3 copies of the original recorded plat of Banner Place Addition  
CPL effective date November 29, 2017  
Signed letter of authorization signed by Scott Rubenstein  
Cover letter  
Submittal check \$325.00  
DVD

Attachment: 110,112,114 Beverly Amending Plat Application (2434 : 110,112,114 Beverly Amending Plat)



CITY OF BELLAIRE  
RECEIVED  
DEC 08 2017  
DEVELOPMENT SERVICES

**South Texas Surveying Associates, Inc.**

**Firm Number: 10045400**

11281 Richmond Avenue, Bldg. J, Suite 101, Houston, TX 77082  
Phone: 281-556-6918 Website: [www.stsurvey.com](http://www.stsurvey.com) Fax: 281-556-9331

December 1, 2017

To: City of Bellaire  
7008 South Rice Ave.  
Bellaire, Texas 77401

RE: Letter of Authorization to provide amended plat of Banner Place Addition

Whereas, we, the undersigned, representatives of Scott Rubenstein, owner of that piece of land known as 110, 112, & 114 Beverly Lane, Bellaire, Texas 77401 and recorded as Lots 32, 33, and 34, of Banner Place Addition, a subdivision in Harris County, Texas according to the map or plat thereof recorded in Volume 27, Page 62 of the Map Records of Harris County, Texas.

And whereas,

I, Scott Rubenstein, owner, hereby authorize South Texas Surveying Associates, Inc. to act as my agent in preparation and submission of an amended plat on the aforementioned land.

Pipeline Realty Company

\_\_\_\_\_  
Scott Rubenstein

Attachment: 110,112,114 Beverly Amending Plat Application (2434 : 110,112,114 Beverly Amending Plat)



That the undersigned owner of record legal title to the property described does hereby certify that all existing encumbrances, including easements and all fee strips or significant topographical features on the land hereby platted are fully shown and accurately identified here on. Further, the undersigned do hereby certify that they own no interest whatsoever in any land contiguous or adjacent.

We further hereby caution acting by & through Scott R. Rubenstein, a member referred to as "Dove" in its 3-6-17 of 2018 decision, that it shall not attempt to exercise its authority under the provisions of the Public Access Law to require dedication in Harris County Tracts according to the Lines, Streets, Lots, Alleys, Building Lines, Easements, Deductions, Restrictions, and Notations herein shown, with no additional surplusing permitted, in the W. J. Strom Survey, District Number 4-1-15, Harris County, Texas, and dedicate to public use, as such, the Streets, Alleys, Ports and Easements herein shown thereon forever, and do hereby waive any claim for damages occasioned by the alterations of the surface of any portion of streets or alleys so dedicated, and/or never dedicated the title to the land so dedicated.

**FURTHER**, Owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage way shall hereby be restricted to keep such drainage ways clear of obstructions to the operations and maintenance of the drainage facility and that such doubling property shall not be permitted to drain directly into this easement except by means of an approved drainage way.

for some under the terms and conditions of such restrictions.

**FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plot shall be restricted to prevent the drainage of any septic tanks into any public or private street, road or alley of any drainage ditch, either directly or indirectly.**

**FURTHER.** Owners do hereby covenant and agree that all of the property boundaries of this plot, and adjacent to any drainage easement, ditch, gully, creek or natural drainage way shall hereby be restricted to keep such drainage structures and easements clear of fences, buildings, planting and other obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

WITNESS MY HAND IN CITY OF BELLAIRE, TEXAS, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

By: Scott R. Rubenstein

Before me, the undersigned authority, on this day personally appeared Scott R. Rubenstein known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

Before me, the undersigned authority, on this day personally appeared Scott R. Rubenstein known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

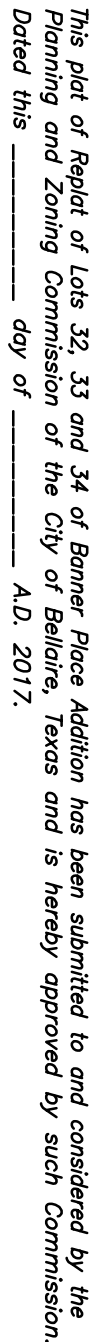
My Commission Expires: \_\_\_\_\_

**My Commission Expires:** \_\_\_\_\_

I, Fred W. Lathrop, authorized or registered under the laws of the State of Texas to provide the professional services of surveying and hereby certify that the above subdivision is true and correct; was prepared under my personal supervision and that the data were obtained from reliable sources. The corners on any plat, points of curvature and other points of reference have been marked with iron pipes or rods have an outside diameter of not less than three quarter (3/4) inch and a length of not less than three (3) feet, and that the plat boundary corners have been tied to the nearest survey corner and that nearest street intersection.

*This plat is in conformance with Chapter 23-5 of the City of Bellaire Code of Ordinances.*

Fred W. Lawton R.P.L.S.  
Texas Registration No. 232



This plot of Replat. of Lots 32, 33 and 34 of Bonner Place Addition has been submitted to and considered by the Planning and Zoning Commission of the City of Belaire, Texas and is hereby approved by such Commission. Dated this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 2017.

By: \_\_\_\_\_

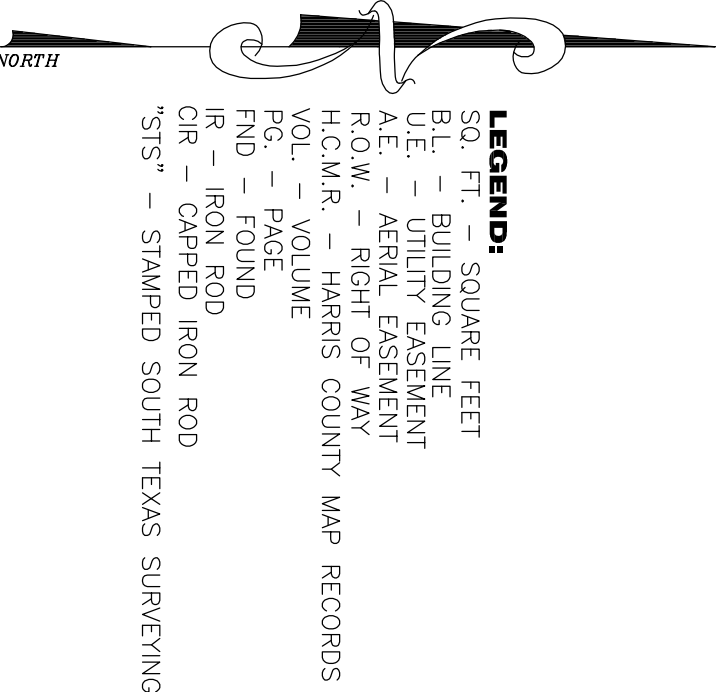
by \_\_\_\_\_  
Secretary

I, Stan Stanart, Clerk of the County Court of Harris County, Texas, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on \_\_\_\_\_, 2017, at \_\_\_\_\_ o'clock, \_\_\_\_\_m., and duly recorded on, \_\_\_\_\_, 2017, at \_\_\_\_\_ o'clock, \_\_\_\_\_m., and in Volume \_\_\_\_\_, Page \_\_\_\_\_ of record for said County.

WITNESS MY HAND AND SEAL OF OFFICE, at Houston, the day and date last above written.

Stan Sligar  
County Clerk of Harris County, Texas

By: \_\_\_\_\_  
Deputy \_\_\_\_\_



1. Unless otherwise indicated, the building lines [a.1], whether one or more, shown on this subdivision plat are established to evidence compliance with the applicable provisions of Chapter 42, Code of Ordinances, City of Houston, Texas, in effect at the time this plat was approved, which may be amended from time to time.

2. The Coordinates shown hereon are Texas South Central Zone no. 4204 State Plane Grid Coordinates (NAD83) and may be brought to surface by applying the following combined scale 0.99988528729944.

1 BLOCK, 1 LOT

A SUBDIVISION OF 0.4517 ACRES (19,680 SQ.FT.) OF LAND, BEING A REPLAT OF LOTS 32, 33 AND 34 OF BANNER PLACE ADDITION, A SUBDIVISION IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 27, PAGE 62 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS.

REASON FOR REPLAT:

TO REMOVE THE COMMON LOT LINE  
BETWEEN LOTS 32, 33 & 34  
TO CREATE ONE LOT

SCALE: 1" = 20' DATE: 9/2017

OWNER: PIPELINE REALTY COMPANY  
ADDRESS: 2330 HOLMES ROAD  
HOUSTON, TEXAS 77051

JOB: 516-17





**LEGEND:**

- AE - AERIAL EASEMENT
- BL - BUILDING LINE
- BLDG - BUILDING
- CM - CREPE MYRTLE
- ESMT - EASEMENT
- FND - FOUND
- HL&P - HOUSTON LIGHTING & POWER
- IP - IRON PIPE
- IR - IRON ROD
- QIR - CAPPED IRON ROD
- "STS" - STAMPED SOUTH TEXAS SURVEYING
- HCCF - HARRIS COUNTY CLERKS FILE
- HCDR - HARRIS COUNTY DEED RECORDS
- HCMR - HARRIS COUNTY MAP RECORDS
- POB - POINT OF BEGINNING
- POC - POINT OF COMMENCING
- PS - PARKING SPACES
- PVCCO - PVC CLEANOUT
- ROW - RIGHT OF WAY
- SQ. FT. - SQUARE FEET
- UE - UTILITY EASEMENT
- x- BARBED WIRE FENCE
- o- CHAIN LINK FENCE
- c- CONCRETE
- [diagonal lines] COVERED CONCRETE
- E- OVERHEAD ELECTRIC LINES
- W- WOOD FENCE
- W- WROUGHT IRON FENCE
- G- GUY WIRE
- [rectangle with cross] CATCH BASIN
- [rectangle with cross] CABLE BOX
- [rectangle with cross] ELECTRIC BOX
- [circle with cross] ELECTRIC MH
- [circle with cross] GAS VALVE
- [rectangle with cross] CURB INLET
- [circle with cross] LIGHT POLE
- [circle with cross] MANHOLE
- [circle with cross] MONITORING WELL
- [circle with cross] PIPELINE MARKER
- [circle with cross] POWER POLE
- [circle with cross] SERVICE POLE
- [circle with cross] SANITARY MANHOLE
- [circle with cross] STORM MANHOLE
- [circle with cross] TELEPHONE PEDESTAL
- [rectangle with cross] TRANSFORMER
- [rectangle with cross] TRAFFIC SIGNAL BOX
- [rectangle with cross] TRAFFIC SIGNAL POLE
- [circle with cross] UNDERGROUND CABLE MARKER
- [circle with cross] WATER WELL
- [circle with cross] WATER METER
- [circle with cross] WATER VALVE
- [circle with cross] BENCHMARK

LOT 38

LOT 31

LOT 32

LOT 33

LOT 34  
0.3142 ACRES  
(13,688 SQ. FT.)

BLOCK 1

LOT 23

LOT 22

LOT 20A  
AMENDING PLAT OF  
LOTS 20 AND 21 OF  
BANNER PLACE ADDITION  
FILM CODE NO. 647194, H.C.M.R.

BANNER PLACE ADDITION  
VOL. 27, PG. 62, H.C.M.R.

BEVERLY LANE  
VOL. 27, PG. 62, H.C.M.R.  
(50' PUBLIC R.O.W.)

BANNER PLACE ADDITION  
VOL. 27, PG. 62, H.C.M.R.

BEVERLY LANE  
VOL. 27, PG. 62, H.C.M.R.  
(50' PUBLIC R.O.W.)

BANNER PLACE ADDITION  
VOL. 27, PG. 62, H.C.M.R.

LOT 19

LOT 18  
AMENDED PLAT OF  
LOT 18 AND PART OF LOT 19  
OF BANNER PLACE ADDITION  
FILM CODE NO. 621092, H.C.M.R.

**BENCHMARK**

ELEVATIONS SHOWN HEREON ARE BASED ON CITY OF BELLAIRE  
BENCHMARK NO. 2R, NAVD88, 2001 ADJUSTED, ELEVATION OF 49.72 FEET.

**NOTES:**

1. BEARING BASIS IS G.P.S. OBSERVATION TEXAS SOUTH CENTRAL, GEOID 99, NAD 83 WITH A BEAING OF S 02°23'21" E, ALONG THE WEST R.O.W. LINE OF BEVERLY LANE.
2. SURVEYOR DID NOT ABSTRACT PROPERTY, SURVEY BASED ON LEGAL DESCRIPTIONS SUPPLIED BY TITLE COMPANY, SURVEY AS SHOWN AND LEGAL DESCRIPTION AS PER AN ON THE GROUND SURVEY, EASEMENTS, BUILDING LINES, ETC., SHOWN ARE AS IDENTIFIED BY OF NO. FTH-18-FAH17005646A-PD OF FIDELTY NATIONAL TITLE INSURANCE COMPANY..
3. THE WORD CERTIFY IS UNDERSTOOD TO BE AN EXPRESSION OF PROFESSIONAL JUDGMENT BY THE SURVEYOR, WHICH IS BASED ON HIS BEST KNOWLEDGE, INFORMATION AND BELIEF.
4. SURVEY IS CERTIFIED FOR THIS TRANSACTION ONLY.
5. THE FINDINGS AND OPINIONS OF SOUTH TEXAS SURVEYING ASSOCIATES, INC. REFLECTED HEREON ARE PRIVILEGED, CONFIDENTIAL AND INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY FOR WHOM THIS WORK WAS PREPARED, IT IS UNDERSTOOD THAT THE USE OF, RELIANCE ON, OR REPRODUCTION OF SAME, IN WHOLE OR IN PART, BY OTHERS WITHOUT THE EXPRESS WRITTEN CONSENT OF SOUTH TEXAS SURVEYING ASSOCIATES, INC. IS PROHIBITED AND WITHOUT WARRANTY, EXPRESS OR IMPLIED. SOUTH TEXAS SURVEYING ASSOCIATES, INC. SHALL BE HELD HARMLESS AGAINST DAMAGES OR EXPENSES RESULTING FROM SUCH UNAUTHORIZED USE, RELIANCE OR REPRODUCTION. COPYRIGHT 2016. ALL RIGHTS RESERVED.
6. THIS IS A TOPOGRAPHIC SURVEY ONLY AND NOT CERTIFIED FOR BOUNDARY.
7. EXISTING IMPROVEMENTS NOT SHOWN.

PROPERTY LIES WITHIN FLOOD ZONE AE, ACCORDING TO F.I.R.M. MAP NO. 48201C 0855L, DATE 6-18-2007, BY GRAPHING PLOTTING ONLY, WE DO NOT ASSUME RESPONSIBILITY FOR EXACT DETERMINATION.  
BEFORE ANY DEVELOPMENT PLANNING, DESIGN, OR CONSTRUCTION IS STARTED, THE COMMUNITY, CITY AND COUNTY IN WHICH SUBJECT TRACT EXISTS SHOULD BE CONTACTED. SAID ENTITIES MAY IMPOSE LARGER FLOOD PLAIN AND FLOODWAY AREAS THAN SHOWN BY F.I.R.M. MAPS THAT WILL AFFECT DEVELOPMENT.

**SURVEYOR'S CERTIFICATION**

PROPERTY SUBJECT TO CITY ORDINANCES AND SUBDIVISION COVENANTS, CONDITIONS AND RESTRICTIONS. I hereby certify that this survey was made on the ground and that this plot correctly represents the facts found at the time of survey showing any improvements, from legal descriptions supplied by client. There are no encroachments apparent on the ground, except as shown. This survey is only certified for boundary and this transaction only. Surveyor did not abstract property. Easements, building lines, etc. shown are as identified by:

GF FTH-18-FAH17005646-A-PD of FIDELITY NATIONAL TITLE INSURANCE COMPANY

Fred W. Lawton, Registered Professional Land Surveyor No. 2321



**TOPOGRAPHIC SURVEY OF**

PLAT OF LOTS 32,33 & 34 OF BANNER PLACE ADDITION,  
ACCORDING TO THE PLAT RECORDED IN VOLUME 27, PAGE 62 OF  
THE MAP RECORDS OF HARRIS COUNTY, TEXAS.

ADDRESS: 110 BEVERLY LANE, BELLAIRE, TEXAS 77401  
PURCHASER:



SOUTH TEXAS SURVEYING ASSOCIATES, INC.  
11281 Richmond Ave. Bldg J, Suite 101, Houston, Texas 77082  
281-556-6918 FAX: 281-556-9331  
Firm Number: 10045400

COPYRIGHT 2017

K:\COMRES 2017\1252-17.DWG

DRAWN BY: TN

DATE: 8-11-17

CHECKED BY:

SCALE: 1"=20'

JOB NO.: 1252-17

SHEET 1 OF 1

**JOB NO:1252-17**



# Integrity Title Company, LLC

## CITY PLANNING LETTER

December 5, 2017  
Effective Date: November 29, 2017

Job No. 1724874A  
Ref: 0750050000032, 33 & 34

STATE OF TEXAS:  
COUNTY OF HARRIS:

THIS IS TO CERTIFY: That after a careful examination of the records in the offices of the Clerk of this County (excluding U. C. C. Records), as to the property described as follows:

Being Lot Thirty-Two (32), Lot Thirty-Three (33) and Lot Thirty-Four (34), of Banner Place, an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 27, Page 62 of the Map Records of Harris County, Texas.

**We find the record title to be apparently in:**

**SCOTT R. RUBENSTEIN**

By virtue of that certain General Warranty Deed dated December 28, 2012 from Maury R. Rubenstein and recorded under Harris County Clerk's File Number 20120603221.

By virtue of that certain General Warranty Deed dated December 28, 2012 from Maury R. Rubenstein and recorded under Harris County Clerk's File Number 20120603220.

By virtue of that certain Special Warranty Deed dated October 26, 2017 from Larry E. Skelton and Barbara Skelton and recorded under Harris County Clerk's File Number RP-2017-473659.

**Subject to the following liens:**

None found of record.

**Subject to the following easements and encumbrances:**

10' Utility Easement dated May 8, 1948 and recorded under Volume 27, Page 62 of the Harris County Map Records.

**Subject to the following restrictions:**

Attachment: 110,112,114 Beverly Amending Plat Application (2434 : 110,112,114 Beverly Amending Plat)

Restrictions per Volume 27, Page 62 of the Harris County Map Records.

Restrictions per Volume 1853, Page 505 of the Harris County Deed Records.

We have made no examination as to special assessments or conflicts.

**INTEGRITY TITLE COMPANY LLC**

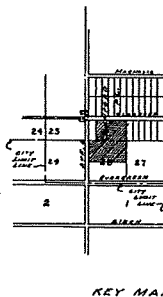


Chris Layne  
Abstractor

**LIMITATION OF LIABILITY:** THE LIABILITY OF EITHER PARTY WITH RESPECT TO THIS INFORMATION OR ANY ACT IN CONNECTION HERewith WHETHER IN CONTRACT, TORT, OR OTHERWISE, SHALL NOT EXCEED THE PRICE OF THE SERVICES OR PRODUCTS SOLD HEREUNDER OR THE PRICE OF THAT PORTION OF SUCH SERVICES OR PRODUCTS ON WHICH LIABILITY IS ASSERTED. COURTHOUSE SPECIALISTS (SELLER) MAKES NO WARRANTY WHATSOEVER, EXPRESS, IMPLIED OR STATUTORY, AS TO THE QUALITY, FITNESS, SUITABILITY, CONFORMITY, OR MERCHANTABILITY OF THE SERVICES OR PRODUCTS SOLD. IF THE TRANSACTION IN QUESTION IS ARISING FROM OR RELATED TO AN AUCTION OR FORECLOSURE, INCLUDING WITHOUT LIMITATION A TAX AUCTION, HOA AUCTION OR SIMILAR AUCTION PROCEEDING, THE BUYER TAKES THE PROPERTY SUBJECT TO ALL LIENS, ENCUMBRANCES AND OTHER MATTERS OF RECORD WHETHER OR NOT REFLECTED ON THE CERTIFICATE.

Attachment: 110,112,114 Beverly Amending Plat Application (2434 : 110,112,114 Beverly Amending Plat)





KEY MAP

BANNER PLACE ADDITION

L. W. PROKOP

CONSISTING OF LOTS 43, 44, 45, 46, & 47, OF GRANFORD PLACE ADD.

**Yes**

THE NORTH 315 FEET OF LOT 28

BLOCK 5, AMENDED 1ST SUBDIVISION  
WESTMORELAND FARMS

CITY OF BELLAIRE  
HARRIS COUNTY, TEXAS

MAY 8, 1948

1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 26

STATE OF TEXAS:  
COUNTY OF HARRIS:  
CITY OF BELLING:

The undersigned, no owner of the property subdivided in the above and foregoing map of **BANNER PLACE ADDITION**, does hereby subdivide such property according to the above section, lots, alleys, parks and easements on each map above and designate such subdivisions by the name above, and does hereby declare to public use as such subdivisions the above section, lots, alleys and easements, and hereby waives all claim for damages occasioned by the establishing of grades by the City of Baltimore for the streets and alleys, or occasioned by any alteration of the surface of the dedicated streets and alleys to conform to such grades, and hereby binds the undersigned, the heirs, assigns and assigns of the undersigned to maintain and forever defend the title in the land so dedicated.

There is also dedicated for utilities an unobstructed aerial easement five (5) feet wide from a plane twenty (20) feet above the ground upward located adjacent to all easements shown hereon.

an easements shown herein.

1. The undersigned hereby covenants, strips of land fifteen feet wide on each side of the center line of all gutters, curbs, ditches, and sloughs, or natural drainage courses located in such subdivisions as easements for drainage purposes, giving the City of Dallas, Texas, and/or any other public agency the right to enter upon said easements at any and all times for the purpose of constructing and/or maintaining drainage work and/or structures.

Further, all of the property subdivided as shown by the above map shall be restricted in its use, which restriction shall run with the land and shall be enforceable at the option of Harris County, the City of Bellairs or any citizen of either by

1. Septic tanks shall not be permitted to drain directly or indirectly into roads, alleys or ditches.

2. Drainage structures under private driveways and walks shall have a not less than 1% slope to the outside area to permit the free flow of water without back water, and to maintain the same cut-slopes, and to have a minimum of 18" (1.5%) feet in diameter for pipe culverts, one and a half (1.5%) feet in diameter for pipe culverts, and the bottom sides of bridges shall be one and one-half (1.5%) feet above the entire ditch bottom.

and half (1/2) cent above the district water rate for the purpose of the foregoing ordinance by the City of Bellville, Texas, and for permission to the said City's water and sewerage systems that the undersigned will, at the undersigned's own expense and in accordance with the specifications of the City of Bellville be used in similar subdivisions, and for the satisfaction of the Engineer of said City: gave all the streets of said subdivision, and that all of work afterwards will be completed prior to the start of any lot in said subdivision and prior to the commencement of the construction of any improvement upon any lot in said subdivision.

SIGNED at Bellaire, Texas, JUNE 16<sup>th</sup> 1948.

STATE OF TEXAS:  
COLIN, OF HARRIS;

BEFORE ME, the undersigned authority, on this day personally appeared L.W. PROCTOR, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of the subscriber above named.

GIVEN under my hand and seal of office this the 16th day of JUNE, 1945.

WITNESSES MY HAND AND SEAL OF OFFICE THIS 11th DAY OF MAY 1964.

GENEVA LEE SMITH  
Geneva Lee Smith  
Notary Public in and for  
Harris County, Texas.

*This is to certify that the undersigned has surveyed and platted the above subdivision and has marked all block corners, angle points and points of curva with iron pipes three quarter inch in diameter, and that such map and plat correctly represent the survey made upon the ground by me.*

*Henry Johnson*  
Registered Engineer, State of  
Texas, Serial No. 2467.

This is to certify that the Planning Commission of the CITY OF BELLARE, TEXAS, has approved the foregoing map and subdivision of BANNER PLACE ADDITION as shown on such map.  
SIGNED at Bellare, Texas, JUNE 16, 1948.

Howard E. Deyman  
Chairman.

Baird P. Ross  
Secretary AD TEN.

STATE OF TEXAS:  
COUNTY OF HARRIS:

Filed for record June 21, 1948, at 11:15 O'clock A. M.

Recorded April 8, 1949, at 8:15 O'clock A. M.

W. W. Miller, Clark County Court, Harris County, Texas.

By W. R. Wiseman Deputy  
By \_\_\_\_\_ Deputy

OFFICE OF  
HENRY J. JOHNSON  
CONSULTING ENGINEER  
3717 KIRBY DR. HOUSTON TEXAS

**Planning and Zoning  
Commission**

Council Chamber, First Floor of City  
Hall  
Bellaire, TX 77401-4411



Meeting: 01/11/18 05:00 PM  
Department: Development Services  
Category: Report  
Department Head: ChaVonne  
Sampson  
DOC ID: 2433

**SCHEDULED  
ACTION ITEM (ID # 2433)**

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**Item Title:**

Approval of the Planning and Zoning Commission's 2017 Annual Report to City Council.

**Background/Summary:**

*Chapter 2, Administration, Section 2-104, Annual or special reports to city council, of the Code of Ordinances, requires each board and commission to file a report with the City Council no later than the first Council meeting in February.*

The report is to address the following:

1. Whether the board is serving the purpose for which it was created;
2. Whether the board is serving current community needs;
3. A list of the board's major accomplishments
4. Whether there is any other board, either public or private, which would better serve the function of the board; and
5. Other recommendations.

Attached is a draft report, as prepared by Commission Chairman Dirk Stiggins.

**Recommendation:**

Approval of the final report, amended as may be deemed necessary, to be forwarded to the City Council.

**ATTACHMENTS:**

- 2017 Annual Report (PDF)

February 5, 2018

Honorable Mayor and City Council  
City of Bellaire, Texas  
7008 South Rice Avenue  
Bellaire, Texas 77401

Re: 2017 Planning & Zoning Commission Annual Report

Mayor Friedberg and City Council:

The Planning and Zoning Commission of the City of Bellaire, Texas (The Commission) is an advisory body to the City Council regarding Zoning and subdivision regulations. The Commission is also responsible for the review and approval/rejection of Plats and for making recommendations to the City Council regarding plans for the physical development of the City of Bellaire.

The existence of The Commission is governed by state and local laws. These include, but are limited to:

- Texas Local Government Code, Chapter 171, Regulation of Conflicts of Interest of Officers of Municipalities, Counties and Certain Other Governments.
- Texas Local Government Code, Chapter 211, Municipal Zoning Authority.
- Texas Local Government Code, Chapter 212, Municipal Regulation of Subdivisions and Property Development.
- Texas Government Code, Chapter 551, Open Meetings Law.
- Texas Government Code, Chapter 552 Open Meetings Law.
- Bellaire Code of Ordinances, Chapter 2, Article VI, Code of Ethics.
- Bellaire Code of Ordinances, Chapter 2, Article VII, Boards, Commissions and Committees.
- Bellaire Code of Ordinances, Chapter 23.5, Land Subdivision Regulations.
- Bellaire Code of Ordinances, Chapter 24, Planning and Zoning.

Actions taken by The Commission in its advisory role are in the form of recommendations to the City Council. Such actions include, but are not limited to:

- Responding to requests from the City Council, the staff Liaison, or City Manager.
- Reviewing The Comprehensive Plan and reporting on such review to the City Council.
- Recommending amendments to the Code of Ordinances concerning matters involving land use regulations and the future growth and regulation of the City of Bellaire.
- Considering applications brought before The Commission for planned developments, specific uses, permitted uses, or other amendments to zoning regulations or the official zoning district map as provided by the Code of Ordinances.

- Annually reporting to the City Council the Commission's needs, accomplishments, and recommendations.

The Commission performed in this capacity during the calendar year 2017 and will continue to serve the stated purpose for which it was created in the current year 2018.

Within the calendar year 2017, The Commission fulfilled its duties through the performance of the following tasks:

- Conducted ten (10) Regular Sessions, which included six (6) Public Hearings
- Conducted two (2) Workshop Sessions
- Conducted two (2) Training Sessions
- Reviewed and acted upon three (3) Specific Use Permits (Prestige Automotive, Bellaire High School and Gordon Elementary School)
- Reviewed and acted upon two (2) Re-zoning Requests (4301 Bellaire Blvd, 5217 & 5221 Palmetto)
- Reviewed and made recommendations to the 2018-2022 Capital Improvement Plan
- Reviewed and made recommendations for an Amendment to the Comprehensive Plan and Future Land Use Map for TRPD (now the North Bellaire Special Development Area)
- Reviewed and made recommendations for two (2) Code Amendments to Chapter 24 (Pawn Shops, head shops and SOBS, reduction in minimum site area for PD within the R-5 Zoning District)
- Began review of priorities for 2018 ( Bellaire Boulevard Estate Overlay District, Parking Garages in commercial areas that abut residential areas, and Beautification Master Plan)

It is through these actions that The Commission also fulfills its duty to serve the Bellaire Community. The Commission's advisory and administrative duties were performed while keeping in mind The Commission's role to serve the needs of the Bellaire community as a whole and as guided by The Comprehensive Plan adopted in 2009. The Commission will continue to serve the community through further implementation of The Comprehensive Plan.

The Commission wishes to acknowledge the extensive work expended by all of its members along with the city's planning consultant, Gary Mitchell, of Kendig Keast Collaborative. Mr. Mitchell has been instrumental in the Comprehensive Plan Review and Future Land Use Map for TRPD.

Commissioners wish to thank the contributions of Commissioners Bill Thorogood and Win Frazier for their invaluable support and participation during the first half of 2017. The Commissioners currently serving their Bellaire community through active participation on The Commission include:

Mike Axelrad  
Jonathan Saikin  
Marc Steinberg, Vice Chairman  
S. Lynne Skinner  
Ross Gordon  
Weldon Taylor  
Dirk Stiggins, Chairman

The Commissioners wish to express their gratitude to Mayor Andrew Friedberg and the City Council for supporting The Commission's efforts. We also want to thank City Manager Paul Hofmann; City Staff – specifically John McDonald, former Director of Development Services, and Ashley Parcus, Administrative Assistant; Chavonne Sampson, Interim Director of Development Services, and City Attorney, Alan Petrov, for their extensive and continual efforts to support The Planning and Zoning Commission.

A special thanks is being extended to the Commission's City Council Liaison, Trisha Pollard, for her support as a liaison to the Commission. She has worked very hard with the Commission to accomplish our goals and directed duties.

In summary, The Planning and Zoning Commission looks forward to continuing to serve the Bellaire community in 2018, and is most appreciative of the opportunity.

Respectfully,

Dirk Stiggins, Chairman  
Planning and Zoning Commission

**Planning and Zoning  
Commission**

Council Chamber, First Floor of City  
Hall  
Bellaire, TX 77401-4411



Meeting: 01/11/18 05:00 PM  
Department: Development Services  
Category: Policy  
Department Head: ChaVonne  
Sampson  
DOC ID: 2432

**SCHEDULED  
ACTION ITEM (ID # 2432)**

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**Item Title:**

Approval of the Planning and Zoning Commission's 2018 Submittal Deadline Calendar.

**Background/Summary:**

Chapter 23.5, Land Subdivision Regulations, allows for the adoption of a submittal calendar by the Commission for the orderly filing and handling of applications for review by staff and considered by the Commission.

Additionally, we include submittal dates for zoning issues to allow for the property processing, review, and notification of related applications.

**Recommendation:**

The Interim Director recommends approval of the calendar.

**ATTACHMENTS:**

- 2018 Submittal Calendar (PDF)



**City of Bellaire**  
**Development Services Department**  
**2018 Submittal Calendar and Deadlines**

<b>Formal Application Deadline (Replats, Zoning &amp; Amending Plats)</b>	<b>Applicant's revisions due back to City no later than this date</b>	<b>Planning and Zoning Meeting 6:00 P.M.</b>
December 5, 2017	December 22, 2017	January 11, 2017
December 22, 2017	January 19, 2018	February 8, 2017
January 29, 2018	February 16, 2018	March 8, 2017
February 26, 2018	March 23, 2018	April 12, 2017
March 26, 2018	April 20, 2018	May 10, 2017
April 30, 2018	May 18, 2018	June 14, 2017
May 28, 2018	June 22, 2018	July 12, 2017
June 25, 2018	July 20, 2018	August 9, 2017
July 30, 2018	August 24, 2017	September 13, 2017
August 27, 2018	September 21, 2017	October 11, 2017
September 24, 2018	October 19, 2017	November 8, 2017
October 29, 2018	November 21, 2018	December 13, 2017
November 26, 2017	December 21, 2017	January 10, 2018

\*All times and dates are subject to change without notice. Deadline for application submittal is 4:00 PM on normal business days. Items will not be placed on the Commission's Agenda until all necessary materials have been received and approved by the Development Services Department.\*

***Please visit our website at [www.bellairetx.gov](http://www.bellairetx.gov) for more information on applications, past and present agendas, maps, ordinances, etc.***

\*\*If you have any questions regarding submittal deadlines or submittal deliverables, please contact Ashley Parcus at (713) 662-8240 or by email at [aparcus@bellairetx.gov](mailto:aparcus@bellairetx.gov)\*\*