

# CITY OF BELLAIRE TEXAS

## PLANNING AND ZONING COMMISSION

MARCH 8, 2018

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Council Chamber

Regular Session

6:00 PM

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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.*

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

1. Planning and Zoning Commission - Regular Session - Feb 8, 2018 6:00 PM

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

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

**V. PUBLIC HEARINGS**

Docket # SU-2018-03-Public hearing on an application filed by Steven Gee, Houston Independent School District Project Manager, for an amendment to Specific Use Permit S-89, approved by City Council with Ordinance No. 17-055, and required by Chapter 24, Planning & Zoning, Section 24-532 B. (2) a), to include an addendum within the original Specific Use Permit that allows for the temporary use of the existing Gordon Elementary School site by Kolter Elementary School until such time that construction is complete on the new Kolter Elementary School campus and students are able to occupy the new building. The property is located at 6300 Avenue B, within the R-3 Residential 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)**

- A. Docket # SU-2018-02-Consideration of an application filed by Abdul Wali Ali, registered agent for Plaza Cleaners, LLC d/b/a Hefner's Cleaners, 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 an already existing drive-through facility located at 5212 Bissonnet Street, as provided for in section 24-537 B.(2)a) of the City of Bellaire Zoning Code. The property is located within the Urban Village Downtown (UV-D) Zoning District.
- B. Approval of the Commission's Report & Recommendation to City Council regarding the request for a Specific Use Permit at 5212 Bissonnet Street.
- C. Consideration of an application filed by Tetra Surveys, LLC, on behalf of Vasco Cheuk and Ann N. Gerges, owners of the property at 4441 Verone, for a total plat vacation of "Lot 1 Block 1 Marmon Place." The property is located within the R-4 Zoning District.

**i. Presentation of the Application by the Applicant**

**ii. Presentation of the Application by City Staff**

**iii. Response or Additional Comments from the Applicant**

**iv. Discussion and Consideration by the Commission**

**v. Vote**

- D. Discussion and possible approval of the Commission's recommendation regarding the City's Community Pathways Plan.

**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.**
  - i. **CIP/Flood Mitigation Plan**
  - ii. **BBEOD**
  - iii. **Parking Garages in commercial districts**
  - iv. **Beautification Master Plan**
  - v. **Fence Heights**
  - vi. **HEB**
  - vii. **Chevron property**

**B. Comments & updates from the Commission's City Council Liaison**

- C. 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

FEBRUARY 8, 2018

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 at 6:01 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	
Ross Gordon	Commissioner	Present	
Weldon Taylor	Commissioner	Present	
Marc Steinberg	Vice Chairman	Present	
Dirk Stiggins	Chairman	Present	
S. Lynne Skinner	Commissioner	Present	
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 - Workshop & Regular Session - Jan 11, 2018 5:00 PM

Chairman Stiggins made one change to the workshop section of the minutes to include a paragraph regarding the Commission's work with Gary Mitchell of Kendig Keast Collaborative on the City's Comprehensive Plan.

<b>RESULT:</b>	<b>APPROVED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Weldon Taylor, Commissioner
<b>SECONDER:</b>	S. Lynne Skinner, Commissioner
<b>AYES:</b>	Saikin, Axelrad, Gordon, Taylor, Steinberg, Stiggins, Skinner

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

Chairman Stiggins reminded all who wished to address the Commission to fill out a sign in sheet. He explained that there would be two opportunities to speak, one during general public comments and the second during the public hearing.

### 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**

Minutes Acceptance: Minutes of Feb 8, 2018 6:00 PM (Approval of Minutes from Past Meetings)

**are not on the agenda. Questions presented to the Commission may be referred to staff.**

There were no general public comments.

## **V. PUBLIC HEARINGS**

Docket # SUP-2018-02-Public Hearing on an application filed by Abdul Wali Ali, registered agent for Plaza Cleaners, LLC d/b/a Hefner's Cleaners, 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 an already existing drive-through facility located at 5212 Bissonnet Street, as provided for in section 24-537 B.(2)a) 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**

Ms. Sampson explained the public hearing process.

### **B. Presentation by the Applicant**

**Bill Stone, Attorney representing the Applicant**-Mr. Stone informed the Commission that the application is in order and addresses all of the requirements listed in the Code of Ordinances. He explained that the request is to be able to utilize the already existing drive-through for a drop-off and pick-up location for Hefner's Plaza Cleaner, which has been a presence in the City's downtown corridor for many years. He added that the new location has passed all of the City inspections and the applicant has received a certificate of occupancy to operate the business, minus the drive-through. Mr. Stone explained that the property is located within the Urban Village Downtown Zoning District, and all surrounding properties are within that same zoning district. He added that no laundry or cleaning will be done on site. He stated that the hours of operation will be 7:00am-7:00pm, and will include a bin for night drop off for customers that are not able to make it during the hours of operation. Mr. Stone mentioned that City code requires that there be enough room in the drive-through for 3 cars to queue, and that the drive-through in question exceeds this requirement. He then explained that traffic can enter from the west, through the existing alley, north, from Cedar Street, or east, from the lessor's property between the applicant's business and Thai Cottage. Mr. Stone stated that traffic exiting the drive-through lane will be heading south and can exit the alley onto Bissonnet, can proceed east through the drive area between Brisket BBQ and Thai Cottage, can or head back north and go either east or south via the alley. He added that parking is sufficient and is not an issue; the sole focus is simply to be able to use the already existing drive-through lane. Mr. Stone thanked the Commission for their time and asked that they vote in favor of the application.

### **C. Staff Findings**

Ms. Sampson informed the Commission that the applicant is seeking a Specific Use Permit (SUP) to allow for the use of an already existing drive-through facility at 5212 Bissonnet Street, as provided for in Section 24-537 B. (2) a) of the City of Bellaire Code of Ordinances. She explained that the business has relocated from its previous location at 5204 (A) Bissonnet Street, and is currently using the property at 5212 Bissonnet as a drop off laundry service; no cleaning or laundry will be done at this location. She added that Hefner's Plaza Cleaners is currently leasing all of the 1,570 square feet of the existing building owned by Sagstex Investments, LP, which previously housed a drive-

through banking facility. Ms. Sampson stated that the former business utilized four drive-in lanes, but the current applicant only intends to use one. Ms. Sampson explained that the building has met all city codes for occupation, and a Certificate of Occupancy has been granted without the use of the drive-in, pending the approval of this application. She mentioned that during the certificate of occupancy inspection, staff confirmed that the property does have an adequate amount of on site parking spaces for the proposed use. Ms. Sampson mentioned that the current zoning for the property is the Urban Village Downtown Zoning District, and that notice was given to property owners within 500 feet of the property in question. She stated that the mail outs were sent on January 24, 2018, the legal notice was published in the Southwest News on January 23, 2018, and a notification sign was also installed on the property on January 23, 2018. Ms. Sampson informed the Commission that a Development Review Committee meeting was recently held with other city departments regarding this application, and no negative feedback was received. She added that there is no recommendation for this meeting, as the consideration of the item will be on the Commission's March agenda.

#### **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.**

There were no public comments.

#### **E. Response of Applicant**

There was no response from the applicant.

#### **F. Questions from the Commission**

Commissioner Axelrad asked where the main entrance is into the building. He added that he would hate to see people only being able to enter the building in the same place where the drive-through is.

**Sion Saghian, lessor**-Mr. Saghian explained that there are three entrances to the building, one on Cedar, one on Bissonnet, and the third at the drive-through.

Commissioner Axelrad asked if the property is currently striped the way that it is shown on the site plan.

Mr. Saghian stated that it is striped, but has significantly faded. He added that he is in the process of re-striping.

Commissioner Saikin mentioned the 6 parking spaces on the northwest side of the building. He asked if those spaces would be re-striped the way that they are currently, or if they would be reconfigured. Commissioner Saikin pointed out that in looking at the site plan, it looks as though it would be difficult for those cars to back out with cars in the drive-through lane.

Mr. Saghian explained that they will be re-striped in the same way that they are now. He then realized that the site plan is incorrect, and explained that the parking runs north/south, not east/west. Mr. Saghian stated that he would get the corrected site plan to the Commission before the next meeting.

Commissioner Gordon asked if any improvements would be necessary to facilitate the new operations, or if the infrastructure is already present.

Mr. Stone explained that the only improvement that will be made is the replacement of one window at the drive-through with a drop-off chute.

Commissioner Skinner asked how many queued cars can fit in the drive-through.

Ms. Sampson stated that a measurement was conducted by City staff, which determined that there is enough space for the queuing of five cars.

Chairman Stiggins asked if any comments were received by staff regarding the notices that were mailed out.

Ms. Sampson stated that there were no comments received.

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

City staff informed the public that written comments on the application will be accepted until February 28th, at 5:00 PM.

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

Chairman Stiggins closed the public hearing at 6:24 PM.

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

- A. Docket #SU-2018-01-Consideration of 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.

Ms. Sampson reviewed the application that was brought before the Commission for a public hearing at their last meeting. She reminded the Commission that the request is for a specific use permit for "Let Us Play," simply due to a change in location of the business. Ms. Sampson mentioned that the issue that was voiced during the public hearing was by Mr. Mafrige, owner of the property at 5213 Cedar Street, regarding the ability of his commercial tenant to obtain a liquor license in the future. She reiterated that the City's Code of Ordinances states that the sale of alcoholic beverages where the place of business of any such dealer is within 300 feet of any church, public school, or public hospital is prohibited; however, it does not call out "daycare" and therefore would not impact the property in question under the current regulations. Ms. Sampson explained that in addition, an official measurement was conducted by City staff and it was found that the two properties in question are 470 feet apart. She stated that the City will still be providing Mr. Mafrige with documentation stating such. Ms. Sampson added that based on conversations that the Commission had during the last meeting, staff added a recommended condition to the approval of the application to say that "the applicant files with the City, on an annual basis, certification that "Let Us Play" is in compliance with the regulations set forth by any and all state agencies."

Commissioner Taylor mentioned the Development Review Committee meeting that Ms. Sampson informed the Commission about last month. He asked if any important feedback or concerns had come out of that meeting.

Ms. Sampson explained that there was no negative feedback or any concerns voiced during that meeting.

Commissioner Taylor asked if the requested documentation had been provided to Mr. Mafrige.

Ms. Sampson stated that the letter has already been drafted by the City's Attorney and the draft was sent over to Mr. Mafrige for approval, prior to the final issuance of the letter.

Commissioner Taylor then asked if this business would be licensed as a daycare or a school.

Ms. Rosenthal, owner of "Let Us Play," explained that she is licensed as a childcare or daycare center, not a school.

Commissioner Taylor stated that he supports staff's recommendation on the application, subject to any other comments that may be made by other Commissioners.

Commissioner Skinner asked what happens if Mr. Mafrige doesn't approve of the draft letter.

Ms. Sampson and Attorney Petrov explained that the City will work with him to ensure that the letter adequately explains that under the current regulations his tenant would not be denied a liquor license. Attorney Petrov stated that the City cannot make promises on what the future holds with regard to a potential change in the City's regulations.

Commissioners Skinner and Gordon asked for clarification that the City currently has no regulations regarding the sale of alcoholic beverages within a certain distance of daycares.

Attorney Petrov confirmed that there is nothing within the City regulations with regard to daycares, only public schools, public hospitals, and churches.

Commissioner Gordon asked if there is a separate TABC guidance that relates to facilities beyond those three classifications that could be imposed.

Attorney Petrov explained that state statute allows for cities to impose a distance requirement of 300 feet for private schools and daycares if it wishes to do so. He reiterated that the City of Bellaire has not done this.

Commissioner Steinberg asked if the current location of "Let Us Play" is closer to the property at 5213 Cedar than the proposed location will be.

Ms. Sampson confirmed this.

Commissioner Steinberg asked what the difference in the distance of the new location is to 5213 Cedar Street versus the current location.

Ms. Sampson stated that she would guess that the proposed location is at least 60 feet greater, if not more.

Commissioner Steinberg asked for clarification that the current location of the daycare did not negatively impact Mr. Mafrige's tenant from being able to obtain a liquor license.

Ms. Sampson confirmed that it did not.

Commissioner Skinner asked if Ms. Rosenthal would have to obtain a new specific use permit if she decided to get certified to open a private school.

Ms. Sampson stated that she would, due to the fact that she would be changing uses from a daycare to a private school.

Chairman Stiggins stated that he would like to re-word the condition recommended by staff to say "the applicant files with the City, on an annual basis, a copy of any approved certification which demonstrates that "Let Us Play" is in compliance with the regulations set forth by any and all state agencies."

The Commission agreed, and voted 7-0 to recommend approval of the application to City Council, with the condition listed above.

<b>RESULT:</b>	<b>ADOPTED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Marc Steinberg, Vice Chairman
<b>SECONDER:</b>	Mike Axelrad, Commissioner
<b>AYES:</b>	Saikin, Axelrad, Gordon, Taylor, Steinberg, Stiggins, Skinner

- B. Approval of the Commission's Report and Recommendation to City Council regarding the request for a Specific Use Permit at 5202 Cedar Street.

City staff ensured the Commission that the Report and Recommendation will be revised to correctly reflect the condition that was voted on by the Commission. Staff also informed the Commission that a paragraph will be added under "Consideration" which will detail the Commission's discussion on the application.

<b>RESULT:</b>	<b>ADOPTED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Weldon Taylor, Commissioner
<b>SECONDER:</b>	Marc Steinberg, Vice Chairman
<b>AYES:</b>	Saikin, Axelrad, Gordon, Taylor, Steinberg, Stiggins, Skinner

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

**Michelle Jordan, Project Manager**-Ms. Jordan reviewed the draft Capital Improvement Plan (CIP) with the Commission, and gave a summary of the changes that have taken place within the document since last year. To view a draft of the CIP, please visit <https://www.bellairetx.gov/DocumentCenter/View/21014>. Please note that this is a working document and is being updated on a regular basis. To see a summary of the changes, visit <https://www.bellairetx.gov/DocumentCenter/View/21015>.



Commissioner Steinberg mentioned that flooding has been a major issue with the City. He questioned how plans can be made for future years without addressing flooding first.

Ms. Jordan explained that flood/drainage improvements are part of every street and drainage project that the City does. She added that it is a part of the 2016 bond program and will be part of the 2019 program as well.

Commissioner Steinberg stated that the City is maxing out on the bonds pretty quickly. He added that the Floodplain Mitigation Task Force has not yet finalized their recommendation to City Council, and he is concerned that those efforts will be overshadowed in the CIP by other projects. Commissioner Steinberg also mentioned that he did not see anything in the plan with regard to the acceleration of the replacement of water lines throughout the City.

Ms. Jordan explained that this is the first draft of the CIP, and she fully expects the plan to be re-evaluated once the Task Force has completed their work. She added that the approach to the replacement of the water lines is a recommendation from the City Engineer as a way to continue to make progress on it, but not tear up the whole City at one time. She agreed that it is not an accelerated path to fix the lines.

Commissioner Gordon mentioned that the projects that have been added have nothing to do with flood control. He stated that he supports Commissioner Steinberg's comments regarding the fact that the focus should be on flooding within the City. He mentioned that consideration should be taken to whether or not the City should de-fund or delay projects that are less critical in order to make room for more flood control projects. He asked if there are drainage projects/programs beyond the five years that the City could go ahead and add to the current plan.

Ms. Jordan explained that the City's current approach to most of the drainage improvements is to replace the street and the drainage structures at the same time. She added that it is more difficult to only replace the storm drains. Ms. Jordan explained that there is a report from the City engineer that maps out the different projects that the City should be doing for many years to come; however that report was completed pre-Harvey.

Commissioner Gordon asked if the City includes any flood control specific projects that are not tied to street rehab, i.e. detention basins.

Ms. Jordan mentioned that the Public Works Department is involved in a flap-gate project that is focused more on flood control only. She stated that she would get more information on that for the next meeting. Ms. Jordan added that normally, the City does not routinely program specific flood prevention projects, but again, this last year has taught us a lot.

Commissioner Skinner mentioned that this plan could change significantly once the recommendation from the Task Force has been finalized. She suggested that the Commission not move forward with any recommendations until that time.

Ms. Jordan stated that per the process, she believes that this is just a preliminary presentation of the material to give the Commission a chance to see it. She added that her understanding is that the Commission will then hold a workshop during the March meeting to discuss the plan, with the recommendation to be voted on at the April meeting.

Commissioner Skinner asked if the Commission will have the Task Force's recommendation by then.

Ms. Sampson explained that the report will be finalized by the Task Force on March 6th, with it going to Council on March 19th.

Commissioner Steinberg asked that the workshop not be scheduled until after March 19th.

Chairman Stiggins asked if that time frame will still allow the Commission to make a recommendation at their April meeting.

Ms. Jordan and Ms. Sampson explained that they will work together to try and come up with a plan on how the Commission could wait to hear the recommendations from the Task Force prior to holding a workshop and voting on a recommendation.

Commissioner Gordon mentioned that this is a rolling five-year CIP, so each year a new CIP is adopted that adds an additional year. He added that this can re-shuffle or re-shape the proposal for the remaining years.

Ms. Jordan confirmed this and added that when taken to City Council they will be asked to approve the expenditures for the upcoming year only. She stated that the four upcoming years will be revisited as they come.

Commissioner Gordon explained that the point of this is to say that only funds for that one year have been allocated, so there is still time to totally reprogram the remaining four years.

Ms. Jordan agreed and stated that she anticipates that the recommendations from the Task Force will be very costly, multi-million dollar projects. She added that the City will not be able to fund those projects with cash and they will therefore be included in the 2019 bond program, for which planning will begin at the end of this year.

Commissioner Steinberg mentioned that accelerating the replacement of the water lines has been discussed for the past three years and nothing has been done about that. He added that some of the signage, landscaping, and other projects may need to be put on hold until after the more critical issues are dealt with.

Ms. Jordan explained that it also depends on the source of the funding. She stated that the signage project is coming from the general fund, or the cash portion of the City's contributions. If the City does choose to accelerate the larger flood prevention projects, those would be out of the bond fund.

Commissioner Saikin stated that he agrees with every word that Commissioner Steinberg has said, and he added that he has been saying those things also, post-Harvey. He added that he appreciates the work that has been done on the plan, but feels as though it sends a bad message to the citizens of Bellaire who at this time would like to hear about flood control improvements.

Commissioner Gordon agreed that in the sense of public relations, adopting a capital improvement plan that does not react to Harvey would lead to an image issue. He recognized the fact that the whole budget cannot be re-purposed, but questioned whether there is the ability, within the constraints that are in place, to be proactive.



Commissioner Gordon mentioned that until the plan is changed, there is no impetus to accelerate or adjust what is happening.

Commissioner Axelrad pointed out that changes are obviously made to the document without any involvement from the Commission. He suggested that the Commission should show that it is unified, or not, in the fact that flood control is the most important aspect.

Chairman Stiggins stated that judging by the Mayor's comments during the State of the City, he is well aware of this. He added that he made the point that some tough decisions would have to be made with regard to the budget and that some of the beautification projects will have to be sacrificed as a result, but that everything is still being reviewed.

Commissioner Steinberg stated that he would like to see that reflected in the CIP.

Chairman Stiggins mentioned to Ms. Jordan that during her presentation it was hard to follow where each item that she talked about was listed on the actual plan. He asked if in the future, any additional documents that are provided to the Commission be tied to the plan itself. Chairman Stiggins also mentioned that the future projects include an estimated budget but no time considerations.

Ms. Jordan confirmed that she would do that for future presentations. She added that the intent of the unfunded projects page is to make sure that the City continues to capture all of the different priorities.

Commissioner Gordon mentioned that there are no drainage projects listed on the list of future projects. He asked of that would be appended to the plan on the next draft, as a result of the recommendation made by the Task Force.

Ms. Jordan explained that once the recommendations from the Task Force have been received, it will be staff's job to try to determine how each project is going to be funded and where it will fit into the fiscal forecast. She added that off the cuff she doesn't know if/how many will be put into the unfunded category.

Commissioner Gordon mentioned that even if they do get put into the unfunded category, at least they are on the list.

Commissioner Axelrad reiterated that not only do those recommendations need to be added to the plan, but the City needs to strongly consider what projects can be removed in order to make room to fund those recommendations.

Commissioner Steinberg asked if the Commission has the ability to not make a recommendation on the CIP.

Chairman Stiggins stated that it is one of the Commission's options. He asked Council Member Pollard, the Commission's Council Liaison, to pass word onto the other Council Members that the Commission is eager to make meaningful comments, but may not be within the time constraints as prescribed by the City ordinances.

Ms. Jordan and Ms. Sampson reiterated that they would work together to come up with a schedule that will work for the Commission.

Commissioner Skinner asked that the workshop be scheduled as soon as possible due to the fact that March is the month of spring break and it is hard to get everyone together.

The Commission thanked Ms. Jordan for all of her hard work and for getting them the information early.

D. Presentation on the City of Bellaire's Community Pathways Plan.

**Cristin Emshoff, Special Projects Manager**-Mrs. Emshoff introduced herself and informed the Commission that the City's consultant, Ayo Bello from HR Green, is in attendance to give the Commission an introduction to the Community Pathways Plan.

Mr. Bello then gave a presentation on the Community Pathways Plan.

To see the entire presentation, please visit :

<https://www.bellairetx.gov/DocumentCenter/View/21125>

To view the draft report, please visit:

<https://www.bellairecommunitypathwaysplan.com/community-pathways-plan-draft-exhibits>

Commissioner Steinberg asked if the existing alleys throughout Bellaire were taken into consideration to be used as the pathways, in an effort to keep people off of the streets.

Mr. Bello stated that they were not, as they are not seen as public R.O.W. that people would want to bike or walk through. He also mentioned that in order for alleys to be beneficial, they would have adequate connectivity.

Commissioner Steinberg stated that a recommendation of his will be that those alleys are taken into consideration.

Mr. Bello informed Commissioner Steinberg that he will see if the City has a database of those alleys.

Commissioner Steinberg stated that if they don't, he will provide Mr. Bello with one.

Commissioner Saikin asked if the area west of Chimney Rock is included in one of the proposed loops.

Mr. Bello explained that it is included in a neighborhood loop extension.

Commissioner Saikin mentioned that new sidewalks have recently been installed in several areas of the City. He asked if the plan is to widen the sidewalks that were just put in.

Mr. Bello informed the Commission that this project has no timeline. He added that whenever funding becomes available, through bonds, grants, etc the City staff and Council will decide which projects to move forward with. He stated that widening sidewalks that were just installed would not make sense; therefore improvements to the sidewalks that were just installed would not happen until that sidewalk is due for renovation.

Mrs. Emshoff mentioned that if approved, this plan would become the foundation of the City's streets and sidewalk projects.

Commissioner Saikin asked for clarification that the idea is still to do sidewalks on one side of the street, but to make them wider and to prioritize the loops throughout the City.

Mr. Bello and Mrs. Emshoff confirmed this.

Commissioner Saikin stated that he fully agrees that connecting the four quadrants of the City is a great idea, but questioned why there has to be sidewalks installed everywhere, rather than simply making improvements to the already existing walkways on the major streets throughout the City.

Mr. Bello explained that Commissioner Saikin's idea would primarily fall under the scope of the sidewalk maintenance project, not the creation of pathways for recreational use.

Commissioner Saikin felt that there are not going to be cyclists on the trails, just runners. He also mentioned that in his opinion, runners like to be on the street, not the sidewalk. He added that the focus should be more on getting from outside the loop to inside the loop and from the south of Bellaire to north of Bissonnet, as opposed to making sure that each sidewalk is widened along the way.

Mr. Bello stated that everyone has different preferences. He added that he is a runner and would rather be on the sidewalk. Mr. Bello mentioned that this plan is geared more for your basic users, not avid cyclists and runners.

Mrs. Emshoff mentioned that one of the challenges that the City currently has is in dealing with on-street parking and safe intersections. She added that there might become a day when it makes a lot of sense to add extra facilities for those individuals who are avid cyclists, but the City must work within the existing parameters. Mrs. Emshoff explained that the survey shows that the basic users are very interested in Newcastle Trail, for an eight foot shared use trail separate from the roadway. She mentioned that it can also be used as a planning tool; new developers who come into the City can install the eight foot trail as part of their plan set.

Commissioner Gordon asked if the master loop will be completed in one fall swoop, or if it will be pieced together incrementally.

Mrs. Emshoff explained that it could really go either way, based on the funding sources available, interest in the plan, and the recommendations made.

Commissioner Steinberg asked if all of the City departments are in contact regarding this plan. He mentioned that a couple years ago money was approved in one of the bonds to install dividers/esplanade down South Rice to Beechnut. He stated that he believes that it was put on hold for the construction of City Hall. Commissioner Steinberg pointed out that if that money is there, it would be wiser to abandon that project and use those funds for this plan.

Mrs. Emshoff explained that the CIP is essentially their "bible" with projects such as these. She stated that she would get with Ms. Jordan about that and would bring an

answer back to the Commission. She added that she is not aware of any bond programs where the funding has not been spent.

Commissioner Taylor stated that conceptually he thinks it looks great, and he looks forward to having more time to review the plan. He asked for Mr. Bello to explain the timeline again to get a better idea of what is expected of the Commission.

Mr. Bello explained that the plan is to have the draft report to the Commission for review on February 21st. He added that hopefully at the March 8th meeting, the Commission will provide comments on the report.

Commissioner Taylor asked if the Commission would have a workshop on the plan prior to the March 8th meeting.

Ms. Sampson stated that is for the Commission to decide.

Chairman Stiggins asked what is driving the schedule to be completed by May 5th.

Mr. Bello explained that the contract stated that the deliverables should be provided within a certain number of months. He added that the schedule has already been thrown off due to Harvey and the ice storm.

Commissioner Saikin asked if the City has consulted with TxDOT at all.

Mr. Bello explained that TxDOT has seen the plan and has given the City comments on it, but the City and TxDOT have not sat down together to discuss how the comments are going to be addressed.

Commissioner Saikin asked if there are any other neighborhoods within the City of Houston where divided by a freeway, that have successfully created walkways underneath the freeway as this plan is suggesting.

Mr. Bello stated that he cannot speak to that.

Mrs. Emshoff explained that the Management District partnered with TxDOT and received funding from HGAC to do a really extensive plan within the Energy Corridor to connect north and south across 1-10.

Chairman Stiggins mentioned that he was surprised that only 450 survey responses were received. He asked if there is any plan to try to expand input from the citizens. Chairman Stiggins questioned whether this is really something that the residents want.

Mr. Bello explained that once the draft report has been put online, there will be another push to get additional comments. He added that neighborhood meetings will also be held if a section of the plan is to go to design.

Commissioner Gordon pointed out that it is 450 people representing families that would total approximately 2,000 people out of 18,000. He mentioned that it is a statistically significant sampling.

Chairman Stiggins mentioned that it said that the sampling included kids.

Mr. Bello explained that as part of the coordination with the schools, there were several children who were asked to complete the survey. He stated that he can't speak to any specifics on that.

Commissioner Skinner mentioned that she lives on Holly Street and stated that the new trail attracts people 24 hours a day, 7 days a week. She stated that "if you build it, they will come." Commissioner Skinner felt that the wider the trail is, the better.

Chairman Stiggins proposed that a workshop be held at 5:00pm on March 8th, prior to the Regular Session, to further discuss the plan.

Mr. Bello mentioned that a joint workshop with the Commission and the Parks Board might make more sense.

City staff stated that they would work on coordinating a joint workshop.

## **VII. COMMITTEE REPORTS**

There were no committee reports.

## **VIII. CORRESPONDENCE**

There was no correspondence.

## **IX. REQUESTS FOR NEW BUSINESS, ANNOUNCEMENTS AND COMMENTS**

Commissioner Skinner informed everyone that Patrons for Bellaire Parks will be hosting their 10th Annual Wine and Tapas, honoring Cindy Seigel, on March 24th. She added that there is also a martini party being held on February 17th. Commissioner Skinner urged members of the Commission to buy tickets and attend.

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

#### **i. Update on the public hearing that was held on January 29, 2018 by the Floodplain Mitigation Task Force.**

Ms. Sampson explained that there was a public hearing held on January 29th for the Floodplain Mitigation Task Force. She stated that there were about 10 public comments, with a majority of them being generic comments that did not suggest revisions to the matrix. Ms. Sampson mentioned that the Task Force will meet again on February 20th, at which time the action items will be reviewed to ensure that consensus has been reached among the members. She stated that there will also be a section included that calls out the funding sources as well as time frame for each of the recommendations. Ms. Sampson informed the Commission that she will share that information with them and will get with Ms. Jordan to coordinate how those projects could/will fit into the CIP, in an effort to help the Commission make their recommendation.

Commissioner Skinner asked where the location of the Task Force meetings are, and if they are open to the public.

Ms. Sampson stated that they are held in the CenterPoint Energy Room and they are open to the public. She added that they begin at 6:30 PM.

Chairman Stiggins asked Ms. Sampson to review the other business items that have recently been added as future items for the Commission's agenda.

Ms. Sampson stated that unfortunately she does not have an update on those items at this time, as her focus has been on the Floodplain Mitigation Task Force. She added that she will make sure to spend some time on those items so that she is able to give an update to the Commission at their next meeting.

Chairman Stiggins asked if there is anything coming up for the next meeting, with regard to plats, SUPs, etc.

Ms. Sampson informed the Commission that the consideration of the SUP for 5212 Bissonnet will be taking place at the March meeting, as well as a public hearing with HISD for an amendment to the Bellaire High School/Gordon Elementary School SUP. She added that there will also be a plat vacation before the Commission in March.

Commissioner Steinberg asked Ms. Sampson if she has any updates/prospects on the Chevron property.

Ms. Sampson stated that she does not.

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

No new business was brought to the Commission's attention.

#### **X. ADJOURNMENT**

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

**Vote:** the motion passed with a vote of 7-0.

**The meeting was adjourned at 8:43 PM.**

**Planning and Zoning  
Commission**

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



Meeting: 03/08/18 06:00 PM  
Department: Development Services  
Category: Public Hearing  
Department Head: ChaVonne  
Sampson  
DOC ID: 2489

**SCHEDULED  
PUBLIC HEARING (ID #  
2489)**

---

**Item Title:**

Docket # SU-2018-03-Public hearing on an application filed by Steven Gee, Houston Independent School District Project Manager, for an amendment to Specific Use Permit S-89, approved by City Council with Ordinance No. 17-055, and required by Chapter 24, Planning & Zoning, Section 24-532 B. (2) a), to include an addendum within the original Specific Use Permit that allows for the temporary use of the existing Gordon Elementary School site by Kolter Elementary School until such time that construction is complete on the new Kolter Elementary School campus and students are able to occupy the new building. The property is located at 6300 Avenue B, within the R-3 Residential Zoning District.

**Background/Summary:**

On September 18, 2017, the Houston Independent School District (HISD) was granted Specific Use Permit S-89, approved by City Council with Ordinance No. 17-055, to reconstruct Bellaire High School (BHS) at its current site and to reuse the former Gordon Elementary/Mandarin Chinese Immersion School (Gordon) site for baseball and softball fields that will host varsity practices and junior varsity and freshman practices and games.

Kolter Elementary School, formerly located at 9710 Runnymede Drive in Houston, Texas, began utilizing the former Gordon Elementary School property in September of 2017, after sustaining significant damage to their campus during Hurricane Harvey. At that time, the school was granted a temporary Certificate of Occupancy, which is only valid until the Spring of 2018. In December of 2017, the Houston ISD Board of Education approved a plan to demolish and rebuild Kolter Elementary School. Therefore, HISD is before the Commission to request an amendment to Specific Use Permit, S-89, to include an addendum that allows for the temporary use of the former Gordon Elementary School site by Kolter Elementary until such time that construction of the new campus is complete and students are able to occupy the new building.

**Site Details**

Property Owner: Houston Independent School District  
Applicant: Steven Gee, Project Manager

Location: 6300 Avenue B

Legal Description: Gordon Elementary School, a 5.9404 acre tract of land out of Lot 2, Block 4, Westmoreland Farms Amended First Subdivision in the J. Blessing Survey, Harris County, Texas

Current Zoning: R-3 Residential District

Requested Zoning: R-3, with a Specific Use Permit

**Notice Information**

**Notice mailed to properties within 500 feet:** 119  
**Notification letters mailed:** February 21, 2018  
**Legal Notice published:** February 20, 2018  
**Notification signs posted:** February 20, 2018

**Adjacent Base Zoning and Land Uses**

**Direction:** North  
**Current Base Zoning:** Loop 610  
**Current Land Use:** Private School/SUP

**Direction:** East  
**Current Base Zoning:** CMU/R-3  
**Current Land Use:** Commercial/Residential

**Direction:** South  
**Current Base Zoning:** R-1  
**Current Land Use:** City Park

**Direction:** West  
**Current Base Zoning:** R-3  
**Current Land Use:** Residential

**Transportation**

**Thoroughfare:** Bissonnet Ave

**Existing Character:** Arterial; two lanes in each direction with turning lane; Sidewalk on south side.

**Thoroughfare:** Avenue B

**Existing Character:** Collector; one lane in each direction; Sidewalks on west side.

**Public Transit:** METRO Bus Stop, Route 65.

**Traffic Impact:** A Traffic Impact Analysis (TIA) has been submitted, and is included in the packet.

**Parking:** Off-street vehicle parking requirements for a school are based on existing conditions.

**Utilities**

**Water:** No proposed changes or issues at this time.

**Wastewater:** No proposed changes or issues at this time.

**Drainage:** A drainage plan will be filed with the building permit application. The current drainage and detention system will be replaced to the change to the property through redevelopment.

**Public Safety**

**Police:** Generally, security for a HISD site is handled by HISD Police with support, as needed, from the Bellaire Police Department.

**Fire:** The Fire Marshal participates in the review of the building plans and will comment as appropriate at that time.

**Recommendation:**

No action is required on March 8th. The Development Review Committee (DRC) will finalize comments/recommendations before consideration of this item at the Commission's April 12th meeting.

**ATTACHMENTS:**

- SUP Application - 6300 Avenue B (PDF)



# HISD | Construction Services

SERVICE EXCELLENCE

January 29, 2018

Ms. ChaVonne Sampson  
 Director of Community Development  
 City of Bellaire  
 7008 South Rice Avenue  
 Bellaire, TX 77401

**RE: Planning and Zoning Commission  
 Specific Use Permit Amendment  
 HISD Bellaire High School Rebuild**

Dear Ms. Sampson:

Enclosed is the Houston Independent School District's application for a specific use amendment to temporarily continue to use the existing Gordon Elementary School site at 6300 Avenue B in its current condition and configuration as an elementary school. In conjunction with our architecture firm, PBK Architects, Houston Independent School District (HISD) is requesting that this specific use amendment be considered at the March 8, 2018 Planning and Zoning Commission meeting.

As you are aware, the site of the old Gordon Elementary School is currently being used by Kolter Elementary School since the existing Kolter campus was severely damaged by Hurricane Harvey. It has been determined by the HISD Board of Trustees that the Kolter campus will be rebuilt rather than simply repaired due to extreme storm damage. As such, Houston Independent School District requests to continue to use the existing Gordon site for Kolter Elementary School until construction is completed on the new Kolter Elementary School campus and students are able to occupy the new school (anticipated to be January 2020).

This specific use amendment request is not intended to supersede the previous specific use permit for this site approved by the City of Bellaire on September 18, 2017. Houston Independent School District intends to move forward with the previously approved use immediately following Kolter Elementary students vacating the Gordon property.

Traffic impact has been analyzed by a traffic engineer, Traffic Engineers Inc., in order to document the anticipated traffic load from the current use, and their report is provided in this packet as required.

PBK Architects, is delivering this letter, our check in the amount of \$1,055.00 for the application fee, and the following items to you:

- Site Survey
- Owner's certificate
- Aerial photo of vicinity map
- Aerial photo of location map
- Traffic Impact Analysis, Traffic Engineers Inc.

Please let us know of any additional information you need in order to process our application. We very much appreciate your assistance.

Sincerely,



Steven Gee Jr.  
 HISD Project Manager  
[sgee@houstonisd.org](mailto:sgee@houstonisd.org)  
 713-556-9261

Attachment: SUP Application - 6300 Avenue B (2489 : Public Hearing-6300 Avenue B)

BENCHMARK:  
CITY OF BELLAIRE SURVEY MARKER NO. 38  
2" BRASS DISK IN CONCRETE STAMPED "BM38" SURVEYED DECEMBER 2004, LANDTECH  
CONSULTANTS, INC.  
ELEVATION = 53.90' (NAVD 88, 2001 ADJUSTMENT)

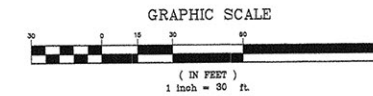
TBM A:  
BOX CUT ON SOUTHWEST CORNER OF CONCRETE FOR INLET, AS SHOWN HEREON.  
ELEVATION = 50.93'

TBM B:  
BOX CUT ON SOUTHWEST CORNER OF CONCRETE BY TRASH CAN, AS SHOWN HEREON.  
ELEVATION = 52.76'

TBM C:  
BOX CUT ON NORTHEAST CORNER OF CONCRETE, AS SHOWN HEREON.  
ELEVATION = 52.02'

TBM D:  
BOX CUT ON SOUTHEAST CORNER OF CONCRETE FOR INLET, AS SHOWN HEREON.  
ELEVATION = 51.90'

- NOTES:
- 1.) THIS IS NOT A BOUNDARY SURVEY.
  - 2.) BOUNDARY INFORMATION IS SHOWN HEREON PER RECORDED DEEDS PROVIDED BY COURTHOUSE SPECIALISTS.
  - 3.) ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP FOR HARRIS COUNTY, TEXAS AND INCORPORATED AREAS, COMMUNITY PANEL NO. 4802G-C-0885 I, EFFECTIVELY DATED JUNE 18, 2007, THIS PROPERTY LIES IN ZONE "AE", A SPECIAL FLOOD HAZARD AREA SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD EVENT WHERE BASE FLOOD ELEVATIONS HAVE BEEN DETERMINED.
  - 4.) ALL UNDERGROUND UTILITIES MAY NOT BE SHOWN HEREON. THE LOCATIONS OF UTILITIES SHOWN HEREON ARE SHOWN PER RECORD DRAWINGS, SIZES, DEPTHS, AND LOCATIONS MAY VARY. FOR THE LOCATION OF ANY ADDITIONAL UTILITIES THAT MAY EXIST, PLEASE CALL THE "TEXAS ONE CALL" LOCATING SERVICE.
  - 5.) THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT. ADDITIONAL ENCUMBRANCES MAY EXIST THAT ARE NOT SHOWN.



- LEGEND
- CLF - CHAIN LINK FENCE
  - COL - COLUMN
  - CONC - CONCRETE
  - CS - CHAIN SURVEY
  - CT - COOLING TOWER
  - DO - DOWN OUT
  - FI - FIRE HYDRANT
  - FND - FUND
  - GI - GRATE INLET
  - GM - GAS METER
  - H.C.S.P. - HARRIS COUNTY CLERK'S FILE
  - H.C.M.R. - HARRIS COUNTY DEED RECORDS
  - H.C.M.R. - HARRIS COUNTY MAP RECORDS
  - ICV - IRRIGATION CONTROL VALVE
  - IR - IRON ROD
  - LS - LIGHT STANDARD
  - MH - MANHOLE
  - ML - METAL LID
  - KNV - NOT FIELD VERIFIED
  - PP - POWER POLE
  - PT - PICNIC TABLE
  - RCP - REINFORCED CONCRETE PIPE
  - RD - ROAD DRAIN
  - R.O.W. - RIGHT OF WAY
  - SW - SANITARY
  - STM - STORM
  - SD - SQUARE
  - TBM - TEMPORARY BENCHMARK
  - TC - TOP OF CURB
  - UT - UTILITY
  - TD - TOP OF DRAIN
  - TDV - TOP OF VALVE
  - V - VENT
  - VF - WATER FAUCET
  - VV - WATER VALVE



SURVEY  
C-0

TEXAS ENGINEERING AND MAPPING  
12210 CENTURY DRIVE  
STAFFORD, TEXAS 77477  
PHONE: 281.491.8585 FAX: 281.491.2535

TOPOGRAPHIC SURVEY  
OF  
A PORTION OF GORDON ELEMENTARY SCHOOL  
A 5.9404 ACRE TRACT OF LAND  
OUT OF LOT 2, BLOCK 4, WESTMORELAND  
FARMS AMENDED FIRST SUBDIVISION,  
(VOL. 3, PG. 80; H.C.M.R.)  
IN THE J. BLESSINGS SURVEY  
HARRIS COUNTY, TEXAS

SCALE: 1"=30' DRAWN BY: DRJ CALC. BY: BWN  
DATE: 4-16-12 JOB NO.: 1034-1 KEY MAP: 531 D.H.

FOR REFERENCE ONLY

THE STATE OF TEXAS :  
 : KNOW ALL MEN BY THESE PRESENTS:  
 COUNTY OF HARRIS :

That we, CHOYCE ALLISON and wife, IMOGENE G. ALLISON, residents of Harris County, Texas, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration cash in hand paid by the HOUSTON INDEPENDENT SCHOOL DISTRICT, a body corporate created by virtue of a special Act of the 38th Legislature of the State of Texas, approved by the Governor of the State of Texas on March 20, 1923, of the County of Harris, State of Texas, the receipt of which is hereby acknowledged and confessed, have GRANTED, BARGAINED, SOLD, ASSIGNED, TRANSFERRED and CONVEYED, and by these presents do GRANT, BARGAIN, SELL, ASSIGN, TRANSFER and CONVEY unto the said HOUSTON INDEPENDENT SCHOOL DISTRICT of the County of Harris, State of Texas, that certain parcel or tract of land containing 3.188 acres out of Lot 2, Block 4, Amended First Subdivision of Westmoreland Farms in the J. Blessing Survey, Harris County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an iron rod set at the intersection of the west line of Avenue B and the south line of Richmond Road, said point being the northeast corner of this tract of land;

THENCE South along the west line of Avenue B 588.30 feet to a 1-inch iron rod, the southeast corner of this tract of land;

THENCE West 221.0 feet of a 1-inch iron pipe in the center of a drainage ditch, the southwest corner of this tract of land;

THENCE North  $13^{\circ} 36' 22''$  West along the center line of said drainage ditch 418.30 feet to a 1-inch iron rod in the south line of Richmond Road;

THENCE North  $60^{\circ} 22' 30''$  East along the south line of Richmond Road 367.30 feet to the place of beginning and containing 3.188 acres of land.

73?  
138

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Houston Independent School District, its successors and assigns forever; and we do hereby bind ourselves, our heirs, executors and administrators, to warrant and forever defend all and singular the said premises unto the said Houston Independent School District, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

WITNESS OUR HANDS this the 19<sup>th</sup> day of February, 1952.



Choyce Allison  
Imogene G. Allison

THE STATE OF TEXAS :  
COUNTY OF HARRIS :

BEFORE ME, the undersigned authority, on this day personally appeared CHOYCE ALLISON and wife, IMOGENE G. ALLISON, both known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said IMOGENE G. ALLISON, wife of the said Choyce Allison, having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Imogene G. Allison, acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 19 day of February, 1952.

John A. O'Connell  
Notary Public in and for  
Harris County, Texas

Filed for Record Feb 21 - 1952 at 10:50 o'clock 9 .M

Recorded Mar 5 - 1952 at 11:44 o'clock 9 .M

W. D. MILLER, Clerk County Court, Harris County, Texas.

By Terrell Brunson Deputy.

Attachment: SUP Application - 6300 Avenue B (2489 : Public Hearing-6300 Avenue B)



97  
97  
980742

THE STATE OF TEXAS :  
 : KNOW ALL MEN BY THESE PRESENTS:  
 COUNTY OF HARRIS :

That the RICHWOOD CORPORATION, a corporation organized and existing under and by virtue of the laws of the State of Texas and having its principal office in Houston, Harris County, Texas, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration cash in hand to it paid by the HOUSTON INDEPENDENT SCHOOL DISTRICT, a body corporate created by virtue of a special act of the 38th Legislature of the State of Texas, approved by the Governor of the State of Texas on March 20, 1923, the receipt of which is hereby acknowledged and confessed, has GRANTED, BARGAINED, SOLD, ASSIGNED, TRANSFERRED and CONVEYED, and by these presents does GRANT, BARGAIN, SELL, ASSIGN, TRANSFER and CONVEY unto the said HOUSTON INDEPENDENT SCHOOL DISTRICT, of the County of Harris, State of Texas, the following described tract of land in Harris County, Texas, to-wit:

2.75<sup>1</sup>/<sub>4</sub> acres of land out of Lot 2, Block 4, Amended First Subdivision of Westmoreland Farms in the J. Blessing Survey, Harris County, Texas, according to the map of said subdivision recorded in Vol. 3, Page 60 of the Map Records of Harris County, Texas, and being more particularly described as follows:

BEGINNING at a 1-inch iron rod, the northeast corner of this tract of land on the south line of Richmond Road in the center of a drainage ditch, said point being also the northwest corner of a tract of land formerly owned by Choyce Allison, et ux;

THENCE S. 13° 36' 22" E. along the center line of said drainage ditch 418.3 feet to a 1-inch iron pipe, the southeast corner of said tract of land, same being the southwest corner of said Allison tract;

THENCE W. 414.0 feet to a 1-inch iron rod in the west line of said Lot 2, the southwest corner of this tract of land;

THENCE North 227.1 feet along the west line of said Lot 2 to a 1-inch square iron rod in the south line of Richmond Road;

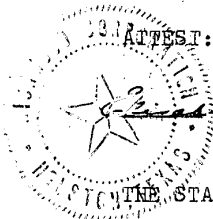
THENCE N. 60° 22' 30" E. along the south line of Richmond Road 362.95 feet to the place of beginning and containing 2.754 acres of land.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Houston Independent School District, its successors and assigns forever, and Grantor does hereby bind itself, its successors and assigns, to warrant and forever defend all and singular the said premises unto the said Houston Independent School District, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

IN WITNESS WHEREOF, Richwood Corporation has caused these presents to be executed and attested, and its corporate seal hereunto fixed, by its officers thereunto duly authorized, this the 17<sup>th</sup> day of March, 1952.

RICHWOOD CORPORATION

By H. M. Coatesville Jr.  
Vice-Pres.



THE STATE OF TEXAS :  
COUNTY OF HARRIS :

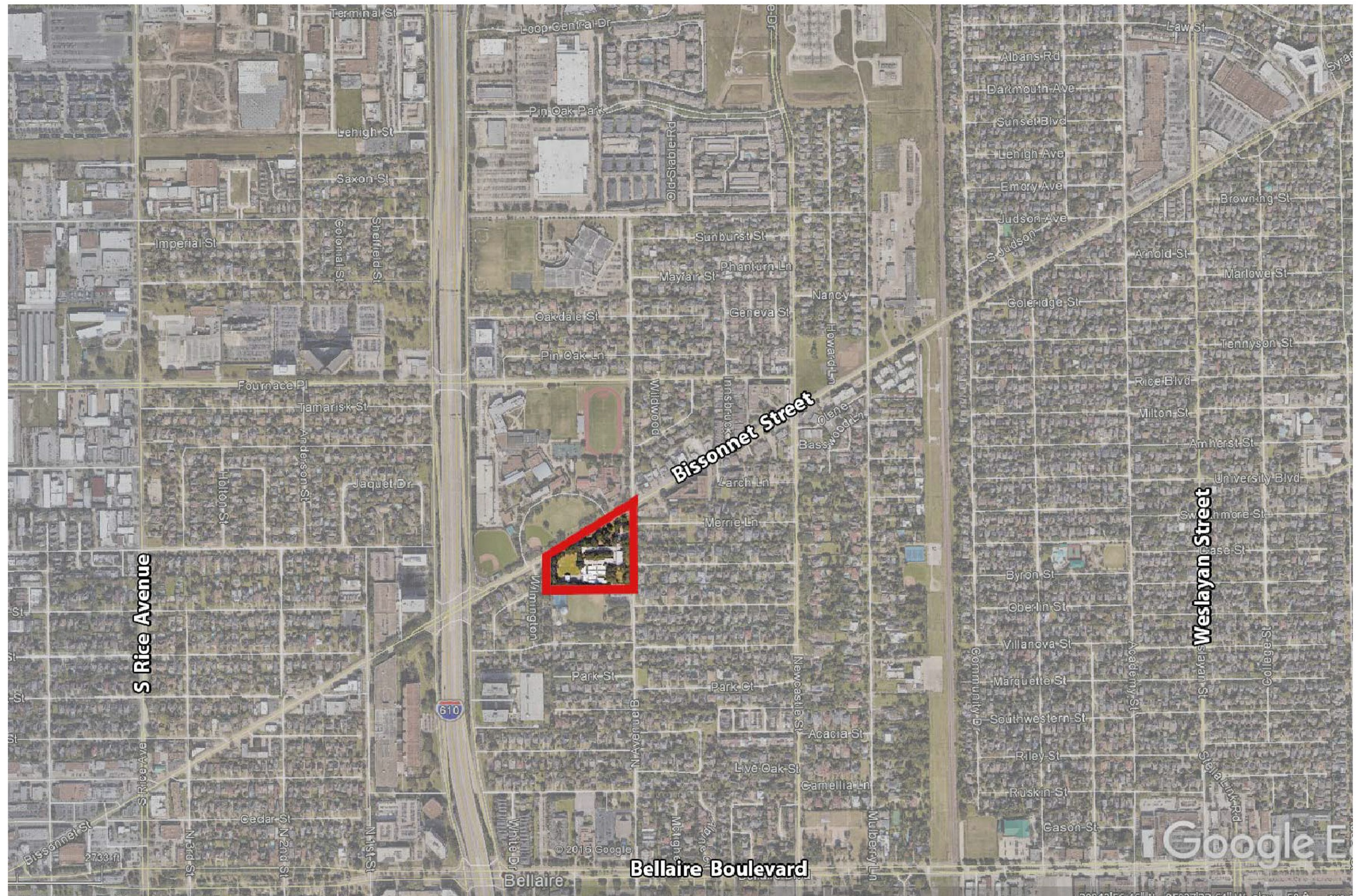
BEFORE ME, the undersigned authority, on this day personally appeared H. M. Coatesville Jr. President of the RICHWOOD CORPORATION, a corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of said corporation.

GIVEN under my hand and seal of office this the 17<sup>th</sup> day of March, 1952.



B. E. Baumgardner  
Notary Public in and for  
Harris County, Texas

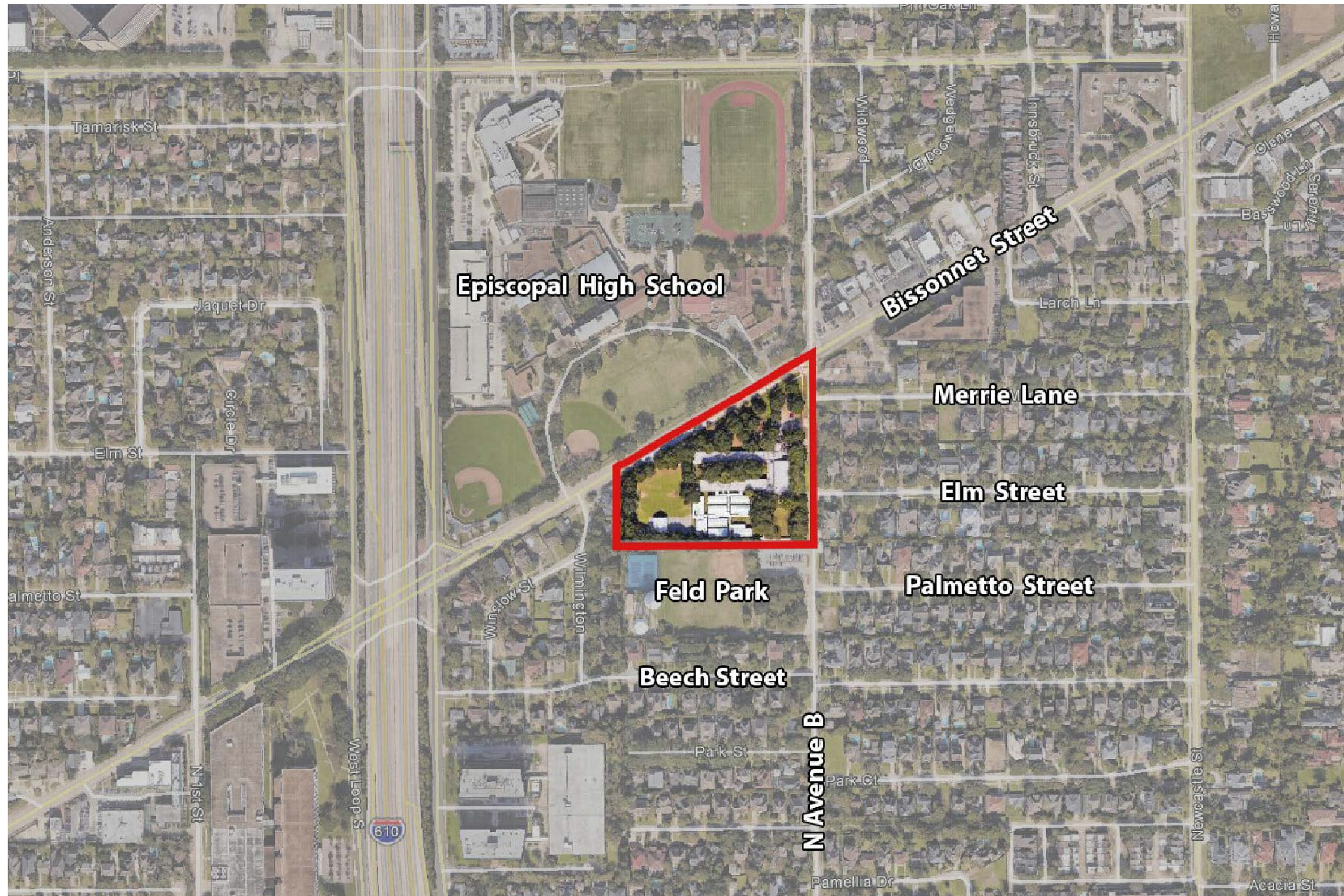




**BELLAIRE HS Baseball Field - Bellaire, TX**  
**HOUSTON INDEPENDENT SCHOOL DISTRICT**







**BELLAIRE HS Baseball Field - Bellaire, TX**  
**HOUSTON INDEPENDENT SCHOOL DISTRICT**

**Location Map**







**BELLAIRE HS Baseball Field - Bellaire, TX**  
**HOUSTON INDEPENDENT SCHOOL DISTRICT**

**Existing Site Plan**





# Temporary Kolter Elementary School Site

## Traffic Study

Prepared for



Prepared by  
**Traffic Engineers, Inc.**  
*Texas Registration #F-3158*

*Revised Report*  
February 23, 2018



*Dustin W. Qualls, PE, PTOE*

## TABLE OF CONTENTS

INTRODUCTION.....	1
EXISTING ROADWAY CONDITIONS .....	1
EXISTING TRAFFIC OPERATION CONDITIONS.....	2
RECOMMENDATION .....	3

## INTRODUCTION

Kolter Elementary School was one of the five schools relocated after Hurricane Harvey. Kolter Elementary School is temporarily being housed at the former Gordon Elementary School site which is also slated for the future Bellaire High School Baseball Field.

The relocated Kolter Elementary School Site is located to the south of Bissonnet Street and west of North Avenue B (see **Figure 1**). The student enrollment at Kolter Elementary School as of January 22<sup>nd</sup>, 2018, was 645. The approximate number of staff at Kolter Elementary School is 55.

This study evaluates the traffic impacts associated with the arrival and dismissal peak period traffic at the relocated Kolter Elementary School.



**FIGURE 1: SITE LOCATION**

## EXISTING ROADWAY CONDITIONS

**North Avenue B** - Direct access to the school site is provided via North Avenue B, a two-lane undivided roadway with curb and gutter. North Avenue B is located east of the school and runs as a north-south roadway. The posted speed limit on North Avenue B is 30 mph. Monday through Friday, the section of North Avenue B north of Bissonnet Street becomes a one-way southbound street between the hours of 7:45 to 9:00 AM and 4:00 to 5:00 PM.

**Bissonnet Street** - Regional access to the site is provided via Bissonnet Street, a five-lane roadway with a two-way left-turn lane. The posted speed limit on Bissonnet Street is 35 mph.

## EXISTING TRAFFIC OPERATION CONDITIONS

Traffic Engineers, Inc. observed traffic operations at Kolter Elementary School in January 2018 during school arrival and dismissal peak periods. The following vehicular and pedestrian patterns were observed (as shown in Figure 2):



**FIGURE 2: EXISTING CONDITIONS**

## TRAFFIC CIRCULATION PLAN

- The main student drop-off/pick-up location is at the driveway located to the south of the school building. Parents and day care vans were observed looping around this driveway to drop-off/pick-up students (See Figure 2).
- The traffic associated with the arrival and dismissal operations at the school site dissipated in less than 15 minutes and did not create any adverse bottlenecking on Bissonnet Street.

## PEDESTRIAN AND SCHOOL SPEED ZONE SIGNING

- Crossing guards were helping students cross at the intersection of North Avenue B at Elm Street, North Avenue B at Palmetto Street, and North Avenue B at Beech Street.
- A school speed zone exists on North Avenue B that complies with the arrival and dismissal times for Kolter Elementary School. The bell schedule for arrival and dismissal at Kolter Elementary School is 7:45 am and 3:05 pm respectively. The reduced speed limits on North Avenue B apply between 7:15-8:15 am and 2:30—3:30 pm on school days.

## PARKING ANALYSIS

- Staff Parking: There are approximately 66 spaces for staff parking. This is enough to accommodate the staff parking needs.
- On-street Parent Parking: On-street parent parking is available on Elm Street. It should be noted that parents were observed parking on Merrie Lane despite parking restrictions on Merrie Lane from 7:00 AM to 5:00 PM on weekdays.
- Off-Street Parent Parking:
  - a. BBVA Compass Parking Lot: The BBVA Compass Bank located at the northeast corner of the intersection of North Avenue B and Merrie Lane has agreed to let parents park in their lot during the AM peak hour. Parents were observed using this parking lot during the AM peak hour. The approximate number of parking spaces in this lot is 58.
  - b. School Parking Lot: Parents were observed parking in the school parking lot located to the south of the school building.

## MODE SHARE

- Approximately 75 percent of the students at Kolter Elementary School were bused to/from the school site in four large charter buses. The remaining 25 percent either walked or were dropped-off/picked-up by their parents.

Field photos taken during the arrival and dismissal peak period of Kolter Elementary School are provided in the Appendix.

## RECOMMENDATION

Based upon observations by Traffic Engineers, Inc. in January of 2018, the traffic generated by the arrival and dismissal operations at relocated Kolter Elementary School dissipated in less than 15 minutes and no other traffic impacts were generated. No mitigation measures are recommended for the present time.

With Kolter Elementary School remaining at the Gordon Elementary site until January of 2020, traffic should be monitored for any adverse conditions along Avenue B. However, no long-term measures are recommended due to the temporary nature of Kolter ES inhabiting the Gordon school site. The charter buses provide a much-needed shuttle system from the existing Kolter Elementary School campus and the temporary campus. These shuttle buses greatly reduce the parent vehicle demand and get the students onto and off of the campus quickly and efficiently.



## Appendix-Existing Conditions

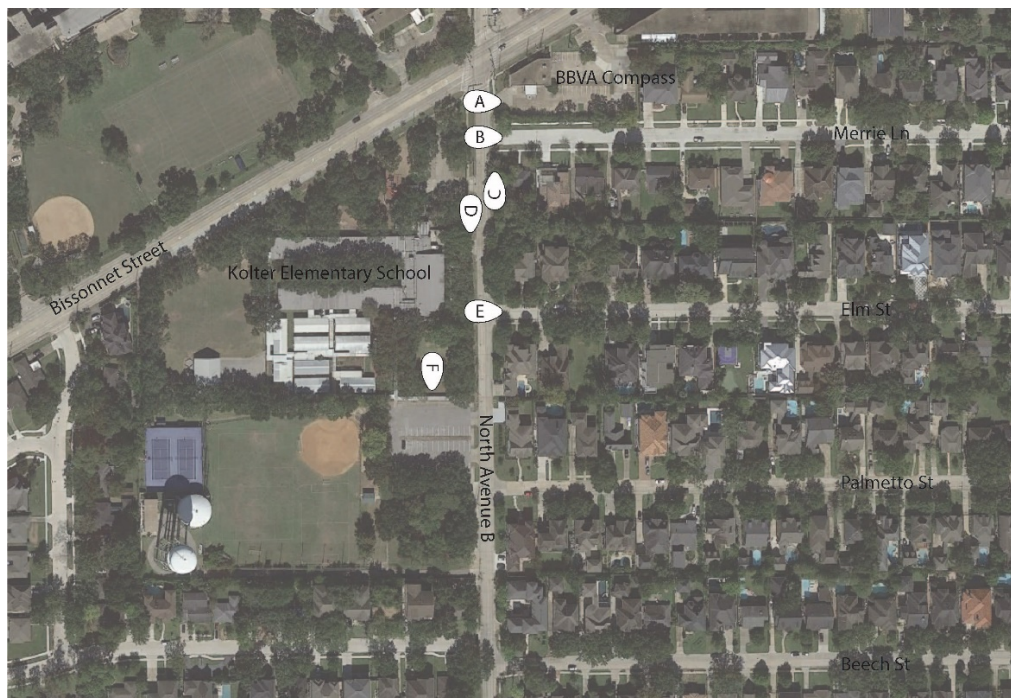
## Existing Conditions - Location A



**LOCATION A: BBVA COMPASS PARKING LOT BEING USED FOR PARENT PARKING DURING AM PEAK HOUR**



## Existing Conditions - Location B



**LOCATION B: PARENTS PARKED AT MERRIE LANE**



## Existing Conditions - Location C



LOCATION C: PARENTS PARKED AT MERRIE LANE



## Existing Conditions - Location D



**LOCATION D: FOUR CHARTER BUSES UNLOADING STUDENTS AT THE STUDENT DRIVEWAY**



## Existing Conditions - Location E



**LOCATION E: CROSSING GUARD HELPING STUDENTS CROSS AT THE INTERSECTION OF NORTH AVENUE B AND ELM STREET**



## Existing Conditions - Location F



**LOCATION F: PARKING LOT LOCATED TO THE SOUTH OF THE SCHOOL BUILDING**

## Planning and Zoning Commission

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



Meeting: 03/08/18 06:00 PM  
Department: Development Services  
Category: Specific Use Permit  
Department Head: ChaVonne  
Sampson  
DOC ID: 2490

### **SCHEDULED ACTION ITEM (ID # 2490)**

#### **Item Title:**

Docket # SU-2018-02-Consideration of an application filed by Abdul Wali Ali, registered agent for Plaza Cleaners, LLC d/b/a Hefner's Cleaners, 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 an already existing drive-through facility located at 5212 Bissonnet Street, as provided for in section 24-537 B.(2)a) of the City of Bellaire Zoning Code. The property is located within the Urban Village Downtown (UV-D) Zoning District.

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

On February 8, 2018, the Planning and Zoning Commission held a public hearing on an application filed by Stone & Stone, LLC, on behalf of Hefner's Plaza Cleaners, to allow for the use of an already existing drive-through facility at 5212 Bissonnet Street.

There were no public comments during the hearing. A question was raised by the Commission regarding the configuration of the existing on site parking spaces, for which a revised site plan has been provided and is included in the packet. Additional questions were regarding the improvements that would be necessary to facilitate the new operations, as well as the number of cars that can be queued the drive-through lane.

#### **Criteria for Review:**

According to Sec. 24-615. Standards Applicable to all Planned Development Amendments and Specific Use Permits, planned development applications may be granted if it meets the following criteria:

- 1. The proposed planned development amendment or specific use permit is consistent with the purposes, goals, objectives, and standards of the comprehensive plan of the City of Bellaire.**

The Comprehensive Plan's Future Land Use and Character Map identifies this site as Urban Village Downtown. The building is preexisting and therefore is not required to address design standards. Additionally, this project addresses:

*Goal 5.2: A revitalized City Center area geared toward the shopping, service, and entertainment needs of Bellaire residents.*

- 2. The design of the proposed development, considered as part of the ...specific use permit, minimizes adverse effects, including visual impacts of the proposed use on adjacent properties.**

The building is preexisting and therefore is not required to address design standards; however, the property owner has done some minor improvements to the facade of

the building.

**3. The proposed development will not have an adverse effect on the value of the adjacent property.**

It is opined that the use of this property as requested will not have an adverse effect.

**4. The proposed development will not unduly burden essential public facilities and services, including streets, police and fire protection, sanitary sewers, storm sewers, solid waste disposal and schools.**

This plan will not unduly burden essential public facilities and services.

**5. The applicant for the development has adequate financial and technical capacity to complete the development as proposed and has met all requirements of this Code, including such conditions as has been imposed as a part of this ...specific use permit.**

The applicant has the capacity to complete this project as required.

**Recommendation:**

Finding that the application meets the standards set forth in Sec. 24-615 for the approval of a specific use permit, the Development Services Director recommends approval of the applicant's request to operate a drive-through facility at 5212 Bissonnet Street.

**ATTACHMENTS:**

- 5212 Bissonnet-Specific Use Permit (PDF)



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

December 18, 2017

(1) **Name:** Plaza Cleaners LLC d/b/a Hefner's Plaza Cleaners. The owner of the LLC and the Registered Agent with the Texas Secretary of State's office is Abdul Wali Ali. His address is:

**Address:** 7438 Baldwin Crossing, Sugar Land, Texas 77479

(2) **Applicable Bellaire City Ordinance:** Section 24-605

(3) **Legal Description and Street Address:** LT 6, BLK 46 & ADJ N 5 FT of ABANDONED ALLEY - 5212 Bissonnet Street, Bellaire, Texas 77401.

(4) **Statement of Ownership:** The subject property is owned by Sagstex Investments. Attached is a six (6) page City Planning Letter from Innovative Title evidencing the ownership of the subject property.

(5) **Proposed Specific Use:** Applicant has an ongoing business under the name of Hefner's Plaza Cleaners. It is currently located at 5204 (A) Bissonnet Street, Bellaire, Texas 77401. Applicant wants to operate a drive in and drop off laundry and cleaners facility at 5212 Bissonnet Street. There are currently four (4) parking spots at this location. There is room at the drive in window for more than three (3) cars and that will satisfy city requirements to keep cars in line from extending out into the public streets. Cleaning and laundry will not be done at this location. Those services will be done at 6208 South Rice, Bellaire, Texas where they have been done for several years now.

(6) **Environmental Assessment Statement:** Applicant intends to lease all of the 1570 square feet of the existing building owned by Lessor - Sagstex Investments. Any environmental impact will be minimal as the building is in place, has met all city codes, and the work required to build it out to Applicant's needs will not be significant (installation of counters and tables, etc.). That work will be done by the Lessor.

Attachment: 5212 Bissonnet-Specific Use Permit (2490 : Consideration-5212 Bissonnet)





CITY PLANNING LETTER

Effective Date: December 11, 2017

December 15, 2017

TO WHOM IT MAY CONCERN:

**Record Title In:**

SAGSTEX INVESTMENTS, L.P.

**Property Description for 5200, 5208, 5212 BISSONNET ST, Bellaire, Texas 77401:**

TRACT ONE:

0.7748 ACRE (33,750 SQUARE FEET) OF LAND, MORE OR LESS, BEING ALL OF LOTS ONE (1) THROUGH FIVE (5) INCLUSIVE IN BLOCK FORTY SIX (46) OF THE TOWN OF BELLAIRE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 3, PAGE 59 OF THE MAP RECORDS IN HARRIS COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN "X" CUT IN CONCRETE FOUND AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF CEDAR STREET (60 FEET WIDE) AND THE WEST RIGHT OF WAY LINE OF FIFTH STREET (60 FEET WIDE), SAID "X" MARKS THE NORTHEAST CORNER OF LOT 1 IN BLOCK 46 OF SAID TOWN OF BELLAIRE;

Attachment: 5212 Bissonnet-Specific Use Permit (2490 : Consideration-5212 Bissonnet)

Page 2

THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG AND WITH THE WESTERLY LINE OF FIFTH STREET, A DISTANCE OF 135 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID LOT 1 AND THE HEREIN DESCRIBED TRACT;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG AND WITH THE SOUTHERLY LINE OF SAID LOTS 1 THROUGH 5, SAME BEING THE NORTHERLY LINE OF A 10 FOOT WIDE ALLEY, A DISTANCE OF 250.00 FEET TO A 5/8 INCH IRON ROD FOUND MARKING THE SOUTHWEST CORNER OF LOT 5 AND THE HEREIN DESCRIBED TRACT;

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG THE COMMON LINE BETWEEN LOT 5 AND LOT 6 OF BLOCK 46, A DISTANCE OF 135.00 FEET TO A 5/8 INCH IRON ROD FOUND ON THE SOUTH LINE OF CEDAR STREET, SAID IRON ROD MARKS THE NORTHWEST CORNER OF LOT 5 AND THE HEREIN DESCRIBED TRACT;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG AND WITH SAID SOUTH LINE OF CEDAR STREET, SAME BEING THE NORTHERLY LINE OF LOTS 1 THROUGH 5, A DISTANCE OF 250.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.7748 ACRE (33,750 SQUARE FEET) OF LAND.

TRACT 2:

0.4154 ACRE (18,097 SQUARE FEET) OF LAND, MORE OR LESS, BEING THE NORTH FIFTY FEET (50') OF LOTS NINETEEN (19) AND TWENTY (20), ALL OF LOTS TWENTY TWO (22), TWENTY THREE (23) AND TWENTY FOUR (24) AND PART OF LOT TWENTY ONE (21) IN BLOCK FORTY SIX (46) OF THE TOWN OF BELLAIRE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 3, PAGE 59 OF THE MAP RECORDS IN HARRIS COUNTY, TEXAS BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT AN "X" CUT IN CONCRETE FOUND AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF CEDAR STREET (60 FEET WIDE) AND THE WEST RIGHT OF WAY LINE OF FIFTH STREET (60 FEET WIDE), SAID "X" MARKS THE NORTHEAST CORNER OF LOT 1 IN BLOCK 46 OF SAID TOWN OF BELLAIRE;

Attachment: 5212 Bissonnet-Specific Use Permit (2490 : Consideration-5212 Bissonnet)

Page 3

THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG WITH THE WEST RIGHT OF WAY LINE OF FIFTH STREET, AT A DISTANCE OF 135.00 FEET PAST A 1/2 INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID LOT 1 AND CONTINUING A TOTAL DISTANCE OF 145.00 FEET TO A 1/2 INCH IRON ROD FOUND MARKING THE NORTHEAST CORNER OF LOT 24 AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT;

THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, CONTINUING ALONG AND WITH SAID WEST LINE OF FIFTH STREET, A DISTANCE OF 14.55 FEET TO AN "X" CUT IN CONCRETE FOUND ON THE NORTHWESTERLY RIGHT OF WAY LINE OF BISSONNET ROAD (60 FEET WIDE), SAID "X" MARKS THE SOUTHEAST CORNER OF LOT 24 IN SAID BLOCK 46;

THENCE SOUTH 60 DEGREES 06 MINUTES 37 SECONDS WEST, ALONG AND WITH SAID NORTHWESTERLY LINE OF BISSONNET, SAME BEING THE SOUTHEASTERLY LINE OF LOTS 21,22,23 AND 24 IN BLOCK 46, A DISTANCE OF 192.68 FEET TO AN "X" CUT IN CONCRETE FOUND MARKING THE SOUTHERLY MOST CORNER OF THE HEREIN DESCRIBED TRACT, SAID "X" BEARS NORTH 60 DEGREES 06 MINUTES 37 SECONDS EAST 33.00 FEET FROM THE SOUTHWESTERLY CORNER OF LOT 21;

THENCE NORTH 28 DEGREES 32 MINUTES 29 SECONDS WEST LEAVING THE NORTHWEST LINE OF BISSONNET, A DISTANCE OF 68.95 FEET TO AN "X" CUT IN CONCRETE CURB ON THE COMMON LINE BETWEEN LOT 20 AND 21 IN BLOCK 46, SAID "X" MARKS AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG A LINE 50 FEET SOUTH OF AND PARALLEL TO THE NORTH LIEN OF SAID LOTS 19 AND 20, A DISTANCE OF 100.00 FEET TO A 1/2 INCH IRON ROD FOUND ON THE WEST LINE OF LOT 19, SAID IRON ROD MARKS AN EXTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG THE WESTERLY LINE OF LOT 19 IN BLOCK 46, A DISTANCE OF 50.00 FEET TO A 1/2 INCH IRON ROD FOUND MARKING THE NORTHWEST CORNER OF SAID LOT 19 AND THE HEREIN DESCRIBED TRACT;

Attachment: 5212 Bissonnet-Specific Use Permit (2490 : Consideration-5212 Bissonnet)



Page 4

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG AND WITH THE SOUTH LINE OF A 10 FOOT WIDE ALLEY DEDICATED PER PLAT, SAME BEING THE NORTHERLY LINE OF LOTS 19 THROUGH 24, A DISTANCE OF 300.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.4154 ACRE (18,097 SQUARE FEET) OF LAND.

**TRACT 3:**

LOT SIX (6), BLOCK FORTY-SIX (46) 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 THE ADJOINING NORTH 1/2 OF THE ALLEY AS DEEDED BY THE CITY OF BELLAIRE BY INSTRUMENT FILED FOR RECORD UNDER COUNTY CLERK'S FILE NO. S278250.

**TRACT FOUR:**

ALLEYS ADJOINING TRACTS ONE AND TWO DEEDED BY THE CITY OF BELLAIRE TO THE ABUTTING PROPERTY OWNERS BY QUITCLAIM DEED DATED FEBRUARY 6, 1995, RECORDED DECEMBER 2, 1996 UNDER CLERK'S FILE NO. S228250 OF THE REAL PROPERTY RECORDS OF HARRIS COUNTY, TEXAS.

**Restrictive Covenants:**

Restrictive Covenants recorded in Volume 1153, Page 134 of the Deed Records of Harris County, Texas, 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.

Attachment: 5212 Bissonnet-Specific Use Permit (2490 : Consideration-5212 Bissonnet)

Page 5

**Easements:**

Easement over the rear five feet of Lot 4 as set out in instrument recorded in Volume 1153, Page 134 of the Deed Records of Harris County, Texas.

Any and all sanitary sewers, water lines, or other utilities within abandoned alleys.

**Liens:**

Deed of Trust from SAGSTEX INVESTMENTS LP to James M. Outlaw, Jr., Trustee for Trustmark National Bank, dated November 22, 2013, filed for record on November 25, 2013, under Clerk's File No. 20130592362 , in the Real Property Records of Harris County, in the principal sum of Two Millions Forty Four Thousand Five Hundred Twelve (\$2,044,512.00).

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.

Attachment: 5212 Bissonnet-Specific Use Permit (2490 : Consideration-5212 Bissonnet)

Page 6

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.

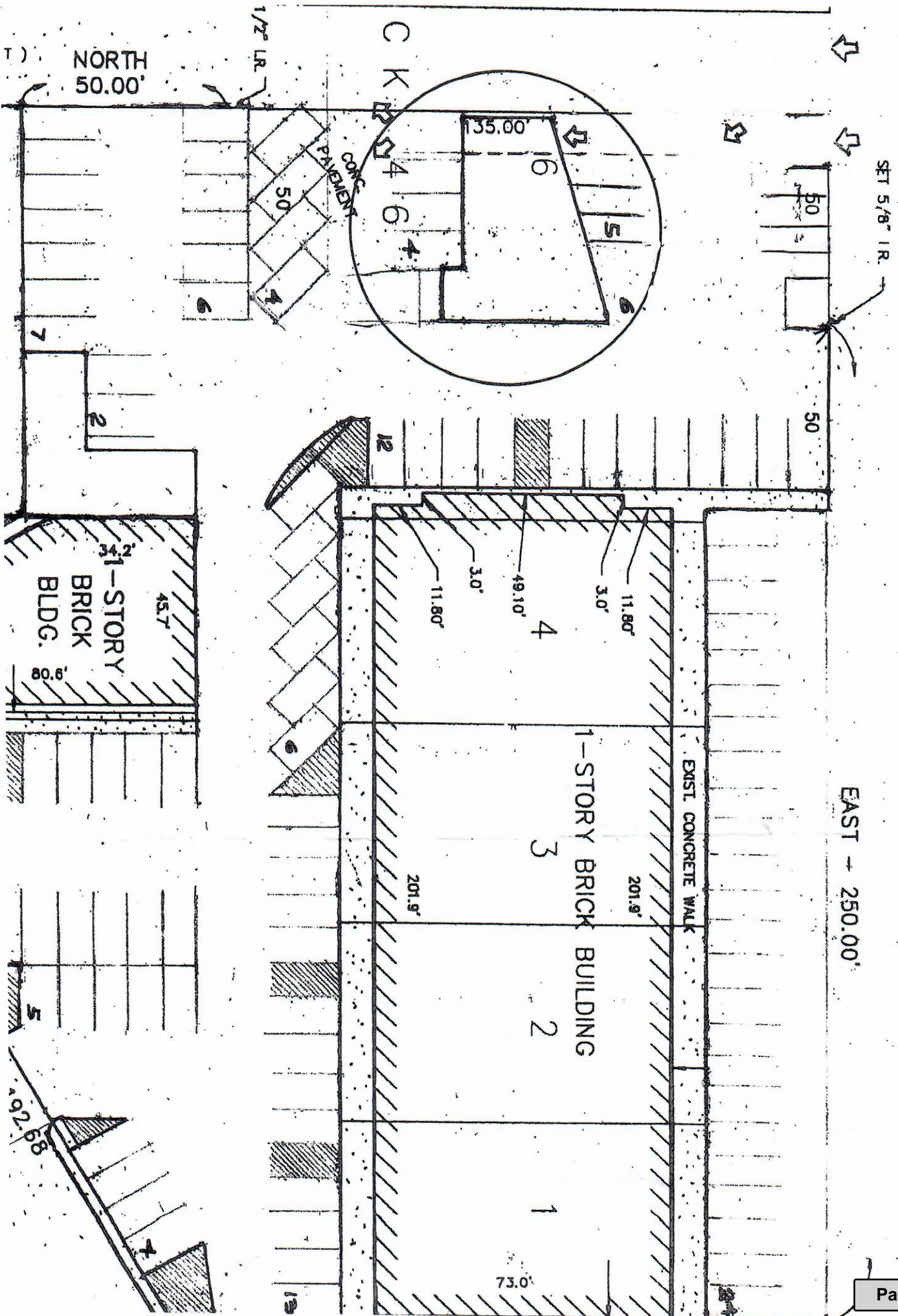
INNOVATIVE TITLE COMPANY

BY 

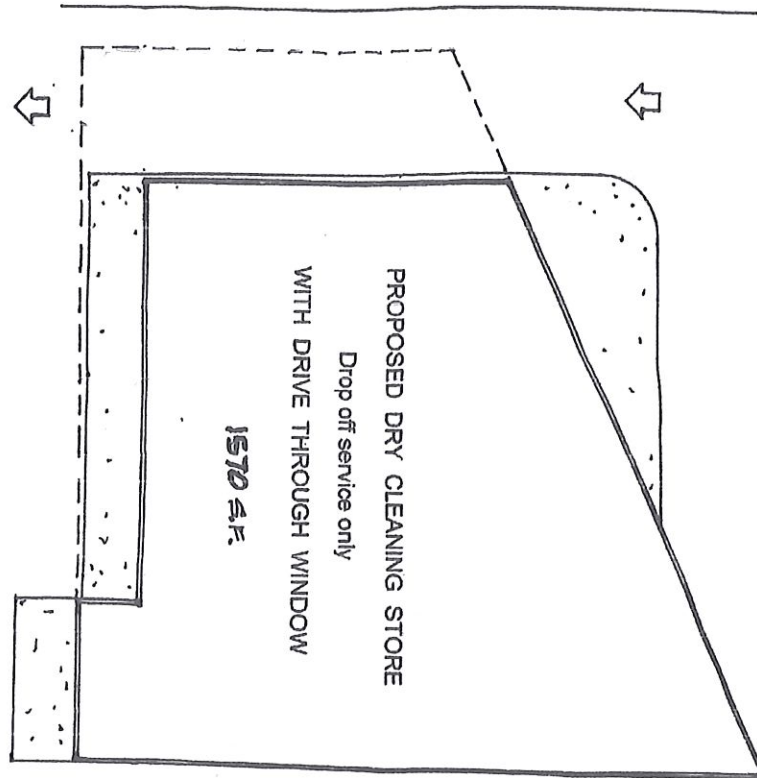
Kevin Steinberg, Manager

Attachment: 5212 Bissonnet-Specific Use Permit (2490 : Consideration-5212 Bissonnet)





**PLAN**  
1/8" = 1'





**Planning and Zoning  
Commission**

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



Meeting: 03/08/18 06:00 PM  
Department: Development Services  
Category: Report  
Department Head: ChaVonne  
Sampson  
DOC ID: 2491

**SCHEDULED  
ACTION ITEM (ID # 2491)**

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**Item Title:**

Approval of the Commission's Report & Recommendation to City Council regarding the request for a Specific Use Permit at 5212 Bissonnet Street.

**Background/Summary:**

A draft Report and Recommendation has been included in the packet and should be amended as required, based on the events of the evening.

**ATTACHMENTS:**

- 5212 Bissonnet SUP (PDF)



## CITY OF BELLAIRE

### Planning and Zoning Commission

March 8, 2018

To: Mayor and City Council  
 From: Dirk Stiggins, Chairman, Planning & Zoning Commission  
 CC: ChaVonne Sampson, Director of Community Development  
 Subject: Report and Recommendation on an application for a Specific Use Permit for the use of a drive-through facility at 5212 Bissonnet Street.

On Thursday, February 8, 2018, the Planning & Zoning Commission held a public hearing for the purpose of reviewing an application on a request for a Specific Use Permit (SUP) to allow for Hefner's Plaza Cleaners to utilize an already existing drive-through facility located at 5212 Bissonnet Street. The property is within the Urban Village Downtown (UV-D) Zoning District.

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 Specific Use Permit Application were invited to speak before the Commission.

There were no members of the public who spoke on the application.

Concerns/questions from the Commission included:

- Configuration of the existing onsite parking
- What improvements would be necessary to facilitate the new operations?
- How many can be queued in the drive-through lane?

Mr. Sion Saghian, lessor of the property at 5212 Bissonnet Street, informed the Commission that the existing parking will stay as is, and that he is in the process of re-striping the parking lot. The applicant's representative stated that the only improvement that will be made to the facility is to replace one of the drive-through windows with a chute for night drop-off. City staff confirmed that there is adequate parking on site, as well as enough room for approximately five (5) cars to queue in the drive-through lane.

No additional comments were received after closure of the public hearing.

### CONSIDERATION

[A summary of the Commission's discussion during consideration of the item will be added here.]

**RECOMMENDATION**

On March 8, 2018, after due consideration and discussion, the Commission found that the application was consistent with the criteria and standards set forth in Section 24-615 of the City of Bellaire Code of Ordinances, and voted \_\_\_\_\_ to recommend \_\_\_\_\_ of the Specific Use Permit at 5212 Bissonnet Street to City Council, with the following conditions:

- 

**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**

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



Meeting: 03/08/18 06:00 PM  
Department: Development Services  
Category: Plat Vacation  
Department Head: ChaVonne  
Sampson  
DOC ID: 2492

**SCHEDULED  
ACTION ITEM (ID # 2492)**

---

**Item Title:**

Consideration of an application filed by Tetra Surveys, LLC, on behalf of Vasco Cheuk and Ann N. Gerges, owners of the property at 4441 Verone, for a total plat vacation of "Lot 1 Block 1 Marmon Place." The property is located within the R-4 Zoning District.

**Background/Summary:**

In May of 2007, Mark Marmon, then owner of the properties at 4441 Verone and 4440 Mildred, Lots 11 & 12, Block 20, of Southdale Subdivision, came before the Planning and Zoning Commission to amend the two lots into a single property, creating a through lot. The Commission approved the amended plat and created Lot 1 Block 1 of Marmon Place.

Vasco Cheuk and Ann N. Gerges, current owners of the property at 4441 Verone, are now before the Commission seeking a plat vacation to return the parcel to the original two lots. Since the amending plat was originally approved by the Commission, it is within the Commission's authority to approve this vacating plat.

**Recommendation**

The Director of Development Services recommends approval of the plat vacation with the condition that the accessory use constructed on what was originally Lot 12 be removed prior to the recording of the vacating plat documentation with the Harris County Clerk.

**ATTACHMENTS:**

- 4441 Verone Plat Vacation (PDF)
- 4441 Verone St - Google Maps (PDF)

## TOTAL VACATION OF "MARMON PLACE"

THE STATE OF TEXAS  
COUNTY OF HARRIS

WHEREAS, Mark & Shelly Marmom, owners of Lot 11 and Lot 12, Block 20 of Southdale Addition, did heretofore combine the same into the subdivision designated LOT 1 BLOCK 1 MARMON PLACE the plat of which is recorded in Book \_\_\_, Page\_ or Document No. 615028 of HARRIS County, Texas Plat Records, and WHEREAS, the following lot in said subdivision is now owned by the party indicated, to wit: Vasco Cheuk and Ann N. Gerges.

WHEREAS, Cheuk Vasco, who collectively constitute the owners of all original, intact lots in LOT 1 BLOCK MARMON PLACE, are desirous of totally vacating said subdivision plat so as to destroy the force and effect of the recording of such subdivision plat insofar and only insofar as the same pertains to Lot 1.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Vasco Cheuk and Ann N. Gerges, for and in consideration of the premises and pursuant to the provisions of Chapter 212.013 of the Local Government Code, do hereby vacate LOT 1 BLOCK 1 only. Said subdivision shall, however, remain in full force and effect as to all other lots in MARMON PLACE .

EXECUTED THE DAYS HEREAFTER NOTED.

DATE:

1/26/18

DATE:

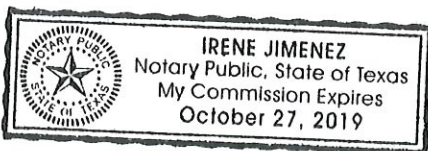
1/26/18

Vasco Cheuk

Ann N. Gerges

*Vasco Cheuk**Ann Gerges*

Seal



Seal

Printed name Irene Jimenez Notary Public in and for the State of Texas

Signature:

*Irene Jimenez*

My commission expires: October 27, 2019

Attachment: 4441 Verone Plat Vacation (2492 : Plat Vacation-4441 Verone)

## APPROVAL OF TOTAL PLAT VACATION

BE IT KNOWN that on the \_\_\_ day of \_\_\_\_\_, 20 \_\_\_, the Director of Development Services, for the City of Bellaire, Texas, did approve the total/partial vacation of the subdivision known as \_\_\_\_\_, as recorded in Book \_\_\_\_\_, Page \_\_ \_\_\_\_, \_\_\_\_\_ County Plat Records, upon application therefore by all of the owners of all of the lots in said subdivision.

EXECUTED, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
 ChaVonne Sampson  
 Interim Director of Development Services  
 City of Bellaire  
 Harris County, Texas

ATTEST:

\_\_\_\_\_  
 Planning & Zoning Secretary  
 City of Bellaire

## THE STATE OF TEXAS COUNTY OF HARRIS

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared \_\_\_\_\_ known to be the person whose name is subscribed to the foregoing instrument as the Director of Development Services of the City of Bellaire, Texas, a municipal corporation, and she/he acknowledged to me that she/he executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_

SEAL

Attachment: 4441 Verone Plat Vacation (2492 : Plat Vacation-4441 Verone)



STATE OF TEXAS

COUNTY OF H A R R I S

On \_\_\_\_\_, 20\_\_\_\_, the Director of Development Services of the City of Bellaire, Texas, approved a partial vacation of the Town of Bellaire Subdivision, known as\_\_\_\_, as described above.

EXECUTED, this\_\_day of \_\_\_\_\_, 20\_\_\_\_.

Stan Stanart, County Clerk  
Harris County, Texas

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

Attachment: 4441 Verone Plat Vacation (2492 : Plat Vacation-4441 Verone)



Stewart Title Company  
 10720 West Sam Houston Pkwy North  
 Suite 200  
 Houston, TX 77064  
 Phone  
 Fax

January 24, 2018

City Planning Commission  
 City Hall  
 900 Bagby  
 Houston, TX 77002

File No.: CPL17201054034

To Whom It May Concern:

This company certifies that a diligent search of the Real Property Records of Stewart Title Company's abstract plant has been made, as to the herein described property, and as of 8:00 A.M. on the 15th day of January, 2018, the last Deed that we find, of record, reflects the record owner to be:

VASCO CHEUK and ANN N. GERGES

Legal Description:

Lot One (1), in Block One (1), of MARMON PLACE, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded in Volume 615, Page 28 of the Map Records of Harris County, Texas.

Subject to the following:

1. Restrictions:

Those recorded in Volume 7, Page 40 and under Film Code No. 615028 of the Map Records and those recorded in Volume 669, Page 459, Volume 963, Page 499 and in Volume 1055, Page 594 of the Deed Records of Harris County, Texas; but omitting any covenants, condition, or restriction, if any, based on race, color, religion, sex, handicap, familial status or national origin unless and to the extent that the covenant, condition or restriction (a) is exempt under Title 42 of the United States Code or (b) relates to handicap, but does not discriminate against handicapped persons.

2. Easements/Other Exceptions:

Public utility easement 5 feet wide passing through the property, as recorded in Volume 7, Page 40 of the Map Records of Harris County, Texas. (As to that portion of the alley)

Building setback line, 25 feet in width, along the North and South property lines, as recorded in under Film Code No. 615028 of the Map Records of Harris County, Texas.

Building setback line, 10 feet in width, along the West property line, as recorded under Film Code No. 615028 of the Map Records of Harris County, Texas.

Building setback line, 5 feet in width, along the East property line, as recorded under Film Code No. 615028

Attachment: 4441 Verone Plat Vacation (2492 : Plat Vacation-4441 Verone)

of the Map Records of Harris County, Texas.

Building setback line, 20 feet in width, along the North and South property lines, as recorded in [Volume 963, Page 499](#), [Volume 1055, Page 594](#) and [Volume 669, Page 459](#) of the Deed Records of County, Texas.

All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records whether listed in Schedule B or not. There may be leases, grants, exceptions or reservations of mineral interests that are not listed.

An easement for drainage purposes extending a distance of 15 feet on each side of the centerline of all natural drainage courses, as reflected by the plat recorded under Film Code No. 615028 of the Map Records of Harris County, Texas. [Owner Title Policy Only]

### 3. Liens/Misc:

NOTE: We find no outstanding liens of record affecting the subject property. Inquiry should be made concerning the existence of any unrecorded lien or other indebtedness which could give rise to any security interest claim in the subject property.

We must be furnished the marital status of the record owners, from November 15, 2017 to the present time. If the record owner is married, we require either (i) the joinder of the spouse; or (ii) an affidavit from the spouse of the owner disclaiming the property as part of any homestead and stating that the property is under the sole management and control of the record owner.

No examination has been made as to Abstracts of Judgments, State or Federal Tax Liens, the status of taxes, tax suits or paving assessments.

This letter is issued for platting purposes only. Liability of Stewart Title Company for mistakes or errors in this letter is hereby limited to the cost of said letter.

The letter is issued with the express understanding, evidenced by the acceptance thereof, that Stewart 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.

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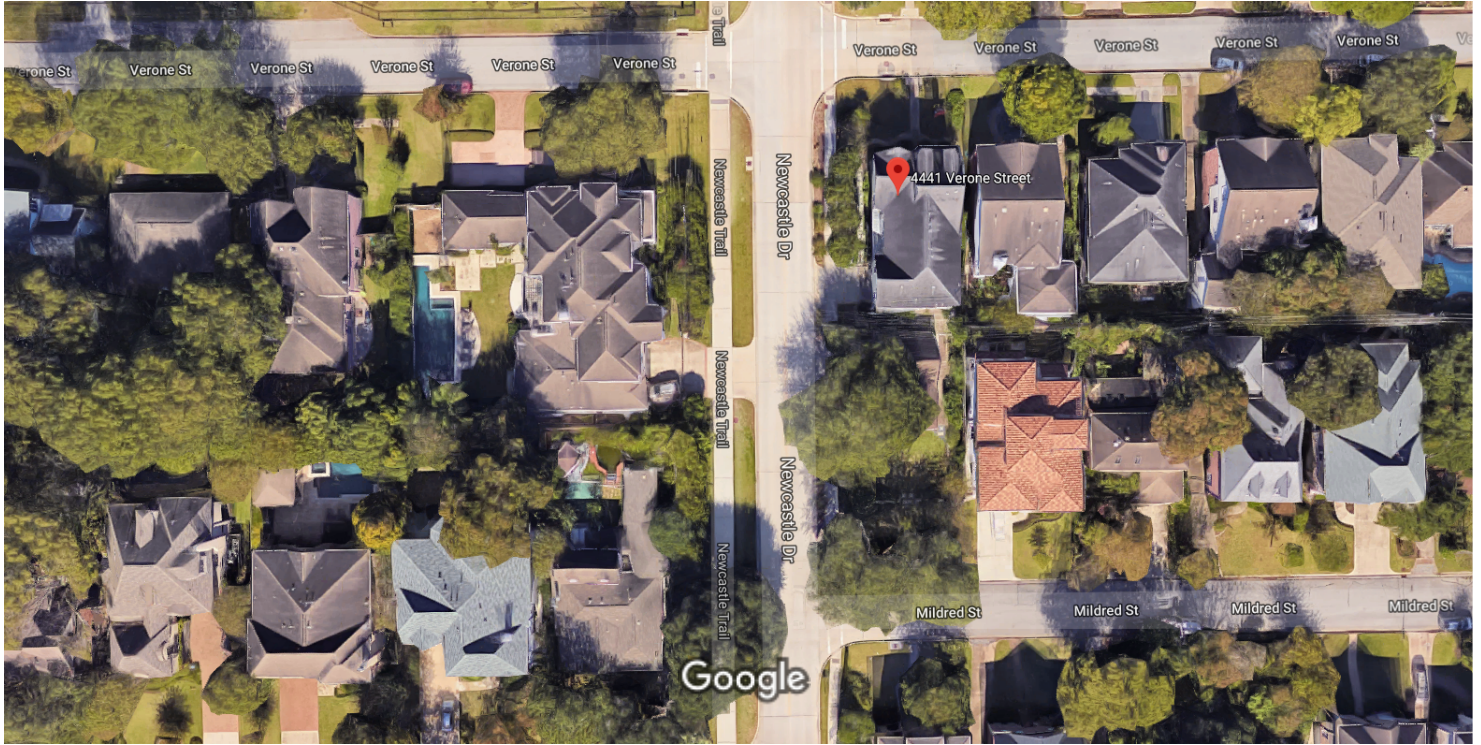
Sincerely,  
Stewart Title Company

*Barbara T. Hart*

Attachment: 4441 Verone Plat Vacation (2492 : Plat Vacation-4441 Verone)



Google Maps 4441 Verone St



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



4441 Verone St  
Bellaire, TX 77401



Attachment: 4441 Verone St - Google Maps (2492 : Plat Vacation-4441 Verone)

**Planning and Zoning  
Commission**

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



Meeting: 03/08/18 06:00 PM  
Department: Development Services  
Category: Report  
Department Head: ChaVonne  
Sampson  
DOC ID: 2494

**SCHEDULED  
ACTION ITEM (ID # 2494)**

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**Item Title:**

Discussion and possible approval of the Commission's recommendation regarding the City's Community Pathways Plan.

**Background/Summary:**

This agenda item is intended to allow for a discussion among the Commission regarding the Draft Community Pathways Plan, and a possible recommendation of the Plan to the City Council.

To view the Draft Plan, please

visit: <https://www.bellairecommunitypathwaysplan.com/community-pathways-plan-draft-exhibits>

**ATTACHMENTS:**

- Draft Community Pathways Plan