

# City of Bellaire

## PLANNING & ZONING COMMISSION

Thursday, March 12, 2020

---

**Council Chamber**

**Regular Session**

**6:00 PM**

---

**FIRST FLOOR OF CITY HALL  
7008 S. RICE AVENUE  
BELLAIRE, TX 77401**

### Agenda

#### Chair

---

Ross Gordon

#### Vice Chair

---

Mike Axelrad

#### Commissioner

---

Mike Baker

#### Commissioner

---

John T. Klug

#### Commissioner

---

Marc Steinberg

#### Commissioner

---

Weldon Taylor

#### Commissioner

---

Pamela Nelson

**REGULAR SESSION - 6:00 P.M.****I. Call to Order, Announcement of a Quorum, and Introduction to Meeting****II. Pledge to the Flag (US and Texas)****A. U.S. Pledge of Allegiance:**

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

**B. Pledge to the Texas Flag:**

Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

**III. Approval of Minutes From Past Meeting(s)****A. [Planning & Zoning Commission - Feb 13 2020 - Minutes - Pdf](#)****IV. City Council Liaison Report****V. Reminder to Persons Desiring to Address the Commission****VI. 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 (3) three minutes each 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.**

**VII. Current Business (Items for Discussion, Consideration, and/or Possible Action)**

- A. Approval of the Planning and Zoning Commission's Report and Recommendation to City Council regarding the City of Bellaire's Fiscal Year 2021-2025 Capital Improvement Program.**

[Agenda Statement Report - Pdf](#)

- B. Consideration and possible action on a recommendation of a consultant to assist in drafting proposed amendments to Section 24-544, Technical Research Park District (TRPD), for the purpose of creating a new zoning district, North Bellaire Special Development (NBSD) District.**

[Agenda Statement Report - Pdf](#)

**VIII. Committee Reports****IX. Correspondence****X. 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.
- B. The Chair 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 on a future agenda of the Commission or referral to Staff for investigation.

**XI. Adjournment**

# City of Bellaire

## **DRAFT MINUTES**

### **Planning & Zoning Commission - Feb 13 2020**

Thursday, February 13, 2020 @ 6:00 PM

Council Chamber

**PRESENT:** Weldon Taylor, Michael Axelrad, Michael Baker, Pam Nelson, John Klug, Marc Steinberg, and Ross Gordon; also present: Ashley Parcus, Zachary Petrov, Marleny Campos, and Nathan Wesely

**ABSENT:**

#### **REGULAR SESSION - 6:00 P.M.**

#### **I. Call to Order, Announcement of a Quorum, and Introduction to Meeting**

Chair Gordon called the meeting to order at 6:01 p.m.

#### **II. Pledge to the Flag (US and Texas)**

Chair Gordon led the pledges to the US and Texas flags.

#### **III. Approval of Minutes From Past Meeting(s)**

A. Planning & Zoning Commission - Dec 12 2019 - Minutes

B. Planning & Zoning Commission - Jan 09 2020 - Minutes

#### **Motion:**

**To approved the minutes from the December and January meeting of the Planning and Zoning Commission.**

**{Moved by Michael Baker, Commissioner, and seconded by Michael Axelrad, Vice Chair}**

<b>RESULT:</b>	<b>Approved.</b>
<b>MOVER:</b>	Michael Baker, Commissioner
<b>SECONDER:</b>	Michael Axelrad, Vice Chair
<b>AYES:</b>	Weldon Taylor, Commissioner, Michael Axelrad, Vice Chair, Michael Baker, Commissioner, Pam Nelson, Commissioner, John Klug, Commissioner, Marc Steinberg, Commissioner, and Ross Gordon, Chair

#### **IV. City Council Liaison Report**

Council Member Wesely did not have anything to report to the Commission.

**V. Reminder to Persons Desiring to Address the Commission**

Chair Gordon reviewed the rules for public comments.

**VI. 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 (3) three minutes each 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.**

**Tim Mann, Tamarisk Street** - Mr. Mann recommended adding an item to the scope of work for the consultant to discuss with the affected residents so they can be more aware of how the zoning change will affect them. He also requested that the consultant not be allowed to talk to the developer. He's curious as to how the results of the consultant's work will be publicized or if there will be an opportunity for public comment. He described traffic conditions on Fournace Place.

**James Balogh, 5019 Mayfair Street** - Mr. Balogh stated there is still a need for more studies and data on the property due to environmental issues, and he does not believe what has been provided so far is correct. He described information on a 1921 topography map of the area and encouraged the Commission to review the map.

**Lynn McBee** - Ms. McBee stated she didn't understand certain items in the outline listing the needs of the City such as what "on-call support" means. She believes all meetings with the consultant should be public and that the work from the consultant be presented at a meeting before accepting or adopting it.

**VII. Current Business (Items for Discussion, Consideration, and/or Possible Action)**

- A. Docket#: SU-2019-08: Consideration and possible action on an application filed by Houston Independent School District for an amendment to Specific Use Permit S-89, approved by City Council with Ordinance No. 17-055 and subsequently amended by Ordinance No. 18-027, as required by Chapter 24, Planning & Zoning, Section 24-532 B. (2) a), to change the approved site plan to include the construction of both a softball facility and baseball facility. The property is located at 6300 Avenue B and is within the R-3 Residential Zoning District.**

Development Services Coordinator, Ashley Parcus, stated that a new site plan was submitted based on the conversation during the public hearing that included an extended fence to encompass the entire site and extended field netting. A tree plan was also provided that detailed which trees will be removed and added from the site, and it will be in accordance with Section 24-513 of the City's Code of Ordinances.

Ms. Parcus added that the Development Services Department focused on three major

considerations while reviewing the application: 1) consistency with the Comprehensive Plan; 2) reduced impact to residential properties, and 3) impact to City services. Staff found that the site is designated residential, which allows for institutional uses, and modifications have been made to the application and conditions set to alleviate the impact to the surrounding residential neighborhood, making the proposal consistent with the Comprehensive Plan. She then reviewed the lot dimensions and setback requirements, the proposed lot coverage, screening and buffering, the traffic impact analysis, parking conditions, site access, drainage, and the impact on adjacent property values. Regarding the impact to City services, Ms. Parcus informed the Police Department has concerns about being able to appropriately patrol the area or access the site in case of an emergency due to the fencing, and the Parks Department was concerned about the school's events being in conflict with programs offered by the City. The City's engineer will review the drainage plan to ensure proper detention is installed and meets the requirements.

Ms. Parcus stated staff recommends approval of the SUP amendment with the following conditions: 1) No field lights or public address system shall be installed on the property; 2) the facilities shall be for the sole and exclusive use of Bellaire High School and not by other entities without prior consent of the City Council; 3) that the City of Bellaire Police Department have access to the site at all times; 4) that additional trees are installed, based on the requirements set forth in Section 24-513, next to the parking lot, along the Avenue B street frontage.

Vice Chair Axelrad asked if the trees along Avenue B in the right-of-way and who would be responsible for maintaining them. Ms. Parcus answered that the tree plan was a last-minute submittal, but the applicant would be responsible for maintaining the trees. She added that there is no requirement on what type of trees are to be installed expect that they be 45-gallon in response to Vice Chair Axelrad's concern over having adequate buffering.

Commissioner Steinberg asked if the Parks Department had an opinion on protecting Feld Park from overflow parking, and Ms. Parcus replied no; their concerns were revolved around scheduling conflicts. Because there is no schedule yet, they are unaware of any conflicts. Once the field is open, staff can evaluate to see if there are any issues with parking and solutions. Ms. Parcus addressed Commissioner Steinberg's question and clarified that the Police Department is not requesting additional entrances, but a code (or something) similar to ensure they have access at all times.

Commissioner Nelson asked if the trees to be removed can be saved.

Jennifer Quigley with PBK Architects stated that they have not investigated, but they can. She mentioned it is cost-prohibitive to moving existing trees and there is no guarantee the tree could survive. They would also have to consider the root size of the tree and land area available.

Commissioner Baker suggested adding no tournaments as one of the conditions.

Commissioner Taylor appreciated the modifications made to alleviate the impact on the surrounding residential area. He asked how the buffer between Feld Park and the backyards for the Wilmington Street houses will change, and also asked what other key modifications were made to the site plan. Ms. Parcus reviewed the new tree plan and major changes to the site plan. Commissioner Taylor also asked if the net and poles will back up to the backyard fences,

which Ms. Parcus confirmed. He then questioned if the back tension pole heights can be decreased and what will the effects be.

Trace Cryer, with PBK, described the positioning of the poles and netting. He mentioned the higher the netting, the more protection there is for the surrounding area. The Commission further discussed what options there might be for the height of the netting and poles, netting material, and levels of protection.

Commissioner Steinberg questioned why the net is not considered net a structure.

Ms. Parcus replied the net is see-through and not obstructing sunlight. Attorney Zachary Petrov added the City's zoning official has interpreted a net not to be a structure.

Commissioner Baker stated that if his house was next to the field, he would want the net and in his past experience, neighbors are usually appreciative of the protection. He doesn't believe that a reduction in the height of the net would be beneficial for the neighbors. He asked to consider extending the netting down the third baseline to the end of the bullpen on the baseball field to protect vehicles from foul balls.

Commissioner Steinberg asked if the 45-foot poles were in the previous site plans. Ms. Parcus answered yes, but they were in a different location. He wondered if approving the net height would set a precedent because it's not fencing.

Attorney Petrov requested a few moments to research.

Commissioner Taylor noted the change to the existing trees is significant and will change the character of the lot and neighborhood.

Chair Gordon suggested that some of the trees could be saved in return of losing parking spaces, and Ms. Quigley replied they can determine what trees could be saved further into the design phase. Chair Gordon then asked if the facility will remain at its current grade or if it will be elevated, noting that the Commission would be opposed to adding fill to the property.

Mr. Cryer responded they would want to balance the site as much as possible so there is no fill. He described how baseball and softball fields are graded and mentioned water is ideally kept away from the pitcher's mound and infield. They discussed with the Commission drainage scenarios to ensure there is no impediment to sheet flow and the surrounding residences.

Commissioner Taylor commented there may be too many ballfields for one lot because of all the modifications being made.

Chair Gordon acknowledged Commissioner Taylor's concerns and the written comments received regarding the application. He then read off proposed conditions that included no field lights or public address system, the sole use for Bellaire High School, Police access to the facility at all times, uses and times of the facility, the facility being built in accordance with site plan presented, construction egress and ingress through Bisonnet Street, preserving trees, no net fill,

and the netting material and extension of the net.

Commissioner Baker stated he is in favor of all the conditions but would like to see room to allow Bellaire Little League to use the facility without going through the City Council process.

Commissioner Nelson asked who would be responsible for deciding how many trees can be preserved and Chair Gordon wasn't sure yet until further discussion or how it can be conditioned.

Commissioner Steinberg suggested adding that the access plan be approved by the Bellaire Police Department.

Commissioner Klug asked if the Fire Department needed to approve an access plan as well.

Ms. Sampson replied a Certificate of Occupancy wouldn't be issued for the facility without their approval, and Attorney Petrov added there are Knox boxes for Fire Department access.

Attorney Petrov and Ms. Sampson responded to the earlier question of setting precedence on fence height by stating that there is a difference between the uses, and homes normally don't have a 45-foot netting as an accessory. In this case, the netting is an institutional use for the baseball field and is required for protection, and approving the application would not set a new standard regarding fence heights.

Commissioner Klug asked the applicants if the conditions listed would adversely affect the use of the facility, and Ms. Quigley replied there were no problems, but would like clarification on the tree plan as it affects the site plan.

Ms. Sampson recommended adding flexibility on the placement of the structures to the conditions so that the applicants don't have to come forward again to move a batting cage or restroom facilities.

Chair Gordon proposed adding to the conditions that minor modifications to the site plan can be made with the approval of the Development Services Director, and Commissioner Steinberg additionally suggested that the modifications should not affect the neighboring properties.

**Motion:**

**To recommend approval of the amendment to SUP S-89 with the following conditions:**

1. **No field lights or public address system shall be installed on the property.**
2. **The facilities shall be for the sole and exclusive use of Bellaire High School and not by other entities without the prior consent of the City Council.**
3. **The facility shall be locked when not in use. However, the City of Bellaire Police Department shall have access to the site at all times. The access plan shall be approved by the Bellaire Police Department.**
4. **The facilities shall be used for only the following uses and times listed below. Any other use shall require approval from the City Council.**



- Bellaire High School varsity and junior varsity baseball and softball practices – weekdays during daylight hours and Saturdays until 5:30 p.m.
  - Bellaire High School junior varsity baseball and softball games, excluding tournaments – weekdays during daylight hours and Saturdays until 5:30 p.m.
  - Bellaire High School baseball and softball weekday or Saturday community events, not to exceed two events for baseball per year and two events for softball per year. For such events, an access/parking management plan shall be submitted to the City of Bellaire Development Services Director for review and approval prior to the event, specifically detailing overflow parking and access management considerations to minimize impacts to adjacent residential streets and to prevent excess traffic congestion on Bissonnet Street.
5. The facility shall be constructed in accordance with the site plan presented, with minor modifications which do not affect the neighboring properties to be allowed with the approval of the City of Bellaire Development Services Director.
  6. Construction ingress/egress shall be limited to Bissonnet Street, specifically restricting construction access through Avenue B and/or Feld Park.
  7. The applicant shall attempt to preserve all mature trees to the degree possible.
  8. There shall be no net fill on the site nor significant impediment to sheet flow.
  9. The lowest visual impact netting material shall be utilized for all nets on the perimeter of the site. The netting on the third baseline of the baseball field shall be extended to protect parked cars.

{Moved by Ross Gordon, Chair, and seconded by Marc Steinberg, Commissioner}

The Commission held further discussion on HISD agreements with other entities (such as Bellaire Little League), Council approval of other uses, and parking requirements.

<b>RESULT:</b>	<b>Approved.</b>
<b>MOVER:</b>	Ross Gordon, Chair
<b>SECONDER:</b>	Marc Steinberg, Commissioner
<b>AYES:</b>	Marc Steinberg, Commissioner, Ross Gordon, Chair, Weldon Taylor, Commissioner, Michael Axelrad, Vice Chair, Michael Baker, Commissioner, Pam Nelson, Commissioner, and John Klug, Commissioner

- B. **Approval of the Planning and Zoning Commission's Report and Recommendation to City Council on the application filed by Houston Independent School District on a request for an amendment to Specific Use Permit S-89 at the property located at 6300 Avenue B.**

**Motion:**

To approve the recommendation letter to City Council with the nine conditions set earlier.

**{Moved by Ross Gordon, Chair, and seconded by John Klug, Commissioner}**

<b>RESULT:</b>	<b>Approved.</b>
<b>MOVER:</b>	Ross Gordon, Chair
<b>SECONDER:</b>	John Klug, Commissioner
<b>AYES:</b>	Weldon Taylor, Commissioner, Michael Axelrad, Vice Chair, Michael Baker, Commissioner, Pam Nelson, Commissioner, John Klug, Commissioner, Marc Steinberg, Commissioner, and Ross Gordon, Chair

**C. Consideration and possible action on a scope of work for professional services to assist in drafting proposed amendments to Section 24-544, Technical Research Park District (TRPD), for the purpose of creating a new zoning district, North Bellaire Special Development (NBSD) District.**

Chair Gordon stated the Commission's letter requesting professional planning assistance was presented to City Council on January 27. He said Council expressed support of moving forward with a consultant but requested for the Commission to prepare a scope of work and solicit two or more proposals to present to Council for approval. He further stated the request is only for technical assistance to assist in executing the process and avoid issues. Chair Gordon read the scope of work he prepared.

Ms. Sampson commented that staff, not the Chair, is typically the direct contact between consultants and requested the language be amended to reflect that. Any communication or questions from the Commissioners would be sent through staff.

Commissioner Steinberg questioned what the quickest way would to ensure the consultant has all the details, and be aware of the Commission's and the public's concerns. Ms. Sampson replied a review of the past public hearings and workshops could be added to the scope of work for the consultant, and see what the consultant bids for the amount of work.

Commissioner Steinberg also asked if the Commission can recommend one firm over others, and Ms. Sampson confirmed they could and also add it to their recommendation letter.

Vice Chair Axelrad asked what the reservation was of having the Chair meet the consultant, and Ms. Sampson responded she hoped the Commission had trust in her as the staff mediator to communicate with the consultant and Commission. She added that it is the best way to preserve the process.

Commissioner Steinberg stated that she is trusted, but the concern is the amount of time and money it would take to review all the information.

The Commission held a discussion on the proposed scope of work about the items within the scope, where hours could be allocated, the cost of the project, and opportunities for public comment.

**Motion:**

To approve the scope of work and change all references of the "P&Z Chair" to "Development Services Director."

{Moved by Marc Steinberg, Commissioner, and seconded by Michael Axelrad, Vice Chair}

Commissioner Nelson and Steinberg suggested adding the attendance and participation of the consultant in a public hearing up to three hours.

**Motion:**

To amend the original motion to add "Attend and participate in a public hearing – Up to 3 hours" as an additional item.

{Moved by Michael Baker, Commissioner, and seconded by Marc Steinberg, Commissioner}

<b>RESULT:</b>	<b>Approved.</b>
<b>MOVER:</b>	Michael Baker, Commissioner
<b>SECONDER:</b>	Marc Steinberg, Commissioner
<b>AYES:</b>	Weldon Taylor, Commissioner, Michael Axelrad, Vice Chair, Michael Baker, Commissioner, Pam Nelson, Commissioner, John Klug, Commissioner, Marc Steinberg, Commissioner, and Ross Gordon, Chair

**Motion:**

To approve the amended motion to approve the scope of work and change all references of "P&Z Chair" to "Development Services Director" and add "Attend and participate in a public hearing, up to 3 hours" as an additional item.

{Moved by Marc Steinberg, Commissioner, and seconded by Michael Axelrad, Vice Chair}

<b>RESULT:</b>	<b>Approved.</b>
<b>MOVER:</b>	Marc Steinberg, Commissioner
<b>SECONDER:</b>	Michael Axelrad, Vice Chair
<b>AYES:</b>	Weldon Taylor, Commissioner, Michael Axelrad, Vice Chair, Michael Baker, Commissioner, Pam Nelson, Commissioner, John Klug, Commissioner, Marc Steinberg, Commissioner, and Ross Gordon, Chair

- D. Preliminary presentation of the City of Bellaire's Draft Five-Year Fiscal Year 2021-2025 Capital Improvement Program.

City Manager, Paul Hofmann, gave a brief presentation of the Draft Five-Year FY 2021-2025 CIP to the Commission to receive feedback to incorporate into a final recommendation that will be presented to Council. He mentioned this year's plan looks similar to last year's and does not have many new changes. Mr. Hofmann's presented highlights of the draft on the assumptions of bond elections and projects, grant funding, and street and drainage projects.

After the presentation, the Commission asked questions and discussed with Mr. Hofmann about leftover funds, grants application processes, grant funding, and the use of grant funding. The Commission expressed concern about the City's future funding availability and the ability to capture money from other sources. Mr. Hofmann confirmed a recommendation letter will be up for approval at the next meeting.

**E. Discussion regarding Commission preferences for the proposed 2020 review/update of the Comprehensive Plan.**

The Commission expressed they wanted direction from Council before working on the update to the Comprehensive Plan. They discussed the best process such as a steering committee or subcommittee but then agreed that a joint workshop with Council would be the most efficient way. It was noted a public hearing will be required when the Commission makes their recommendation to City Council as an opportunity to receive input from residents.

**Motion:**

**To authorize the Chair to write a letter to City Council on the Planning and Zoning's request for a joint workshop to discuss the Comprehensive Plan.**

**{Moved by John Klug, Commissioner, and seconded by Marc Steinberg, Commissioner}**

<b>RESULT:</b>	<b>Approved.</b>
<b>MOVER:</b>	John Klug, Commissioner
<b>SECONDER:</b>	Marc Steinberg, Commissioner
<b>AYES:</b>	Weldon Taylor, Commissioner, Michael Axelrad, Vice Chair, Michael Baker, Commissioner, Pam Nelson, Commissioner, John Klug, Commissioner, Marc Steinberg, Commissioner, and Ross Gordon, Chair

**VIII. Committee Reports**

**IX. Correspondence**

**X. 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. Discussion on possible dates for a joint workshop with the Building and Standards Commission to discuss maximum residential building heights.**

The Commission agreed that March 31 starting either 6:30 p.m. or 7:00 p.m. would be a good date and time to hold the joint workshop with Building and Standards. Administrative Assistant, Marleny Campos, will be notifying the Building and Standards Commission to secure a quorum for that date.

- B. **The Chair 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 on a future agenda of the Commission or referral to Staff for investigation.**

Commissioner Steinberg asked about the status of the PD-9 and PD-10 application, and Ms. Sampson answered staff is still waiting on documentation and the property owners are in conversation with each other about the proposed PD amendment.

Chair Gordon asked who is responsible for removing the public hearing signs, noting that there are still some signs up where the meeting happened months ago. Ms. Sampson replied it is the applicant's responsibility and will have the Code Compliance Officer look into the matter to have them removed.

**XI. Adjournment**

**Motion:**

**To adjourn the regular session of the Planning and Zoning Commission.**

**{Moved by Michael Baker, Commissioner, and seconded by John Klug, Commissioner}**

<b>RESULT:</b>	<b>Approved</b>
<b>MOVER:</b>	Michael Baker, Commissioner
<b>SECONDER:</b>	John Klug, Commissioner
<b>AYES:</b>	Weldon Taylor, Commissioner, Michael Axelrad, Vice Chair, Michael Baker, Commissioner, Pam Nelson, Commissioner, John Klug, Commissioner, Marc Steinberg, Commissioner, and Ross Gordon, Chair

**The meeting adjourned at 8:43 p.m.**

## AGENDA STATEMENT

## City of Bellaire

**MEETING:** Planning & Zoning Commission - Mar 12 2020

**PREPARED BY:** ChaVonne Sampson

**DEPARTMENT:** Development Services

### ITEM TITLE:

Approval of the Planning and Zoning Commission's Report and Recommendation to City Council regarding the City of Bellaire's Fiscal Year 2021-2025 Capital Improvement Program.

### RECOMMENDATION:

The Director of Development Services recommends approval of the Planning and Zoning Commission's Report and Recommendation to City Council regarding the Fiscal Year 2021-2025 Capital Improvement Program.

### BACKGROUND/SUMMARY:

In the City of Bellaire's Code of Ordinances Chapter 24-402 – Capital Improvement Program, each year the Planning and Zoning Commission should review and comment on the consistency of the Capital Improvement Program with the adopted Comprehensive Plan. As part of the process, a preliminary presentation was given at the February 13, 2020 Planning and Zoning Commission meeting on the draft Five-Year Fiscal Year 2021-2025 Capital Improvement Program. The Commission had some general questions and feedback at this meeting which included the following:

1. The recommendations are in alignment with the Comprehensive Plan.
2. There was a general consensus that focusing on flood prevention, drainage, infrastructure and similar issues are the primary concerns and are pleased to see this in the Draft Capital Improvement Program.
3. Some general questions about expenditures and debt took place. General expenditures in previous years appropriated less cash to parks improvement projects and in some cases, appropriated funds to drainage instead of parks projects. The bond projections have not changed.

These comments have been addressed. The City of Bellaire's Fiscal Years 2020-2024 Capital Improvement Program is attached to this agenda and remains the same as it was presented at the February 13, 2020 Planning and Zoning Commission meeting.

### PREVIOUS COUNCIL ACTION:

N/A

**FISCAL IMPACT:**

N/A

**CITY ATTORNEY REVIEW:**



**Yes**



**No**

## FY 2021 Capital Improvement Projects

<b>Capital Improvement Fund - General Fund Cash Projects</b>		
Unappropriated Available Beginning Balance - General Fund Cash	\$	13,105
Earmarked - ROW (Paseo Park)	\$	189,150
Transfer in From General Fund	\$	-
Funded by Others	\$	-
<b>Total Resources</b>	<b>\$</b>	<b>202,255</b>
<b>Mulberry Park Restroom Facility:</b> Provide a permanent public bathroom to meet the growing demands from park users. Requires a sanitary line connection along the back of the park to Mulberry Lane, and the construction will need to be built to withstand high public usage while focusing on security. <u>This project will only be funded using donations from outside entities such as Bellaire Little League or PATRONS for Bellaire Parks. The City will not fund this project with tax revenues.</u>		*
<b>Total FY 2021 General Fund CIP</b>	<b>\$</b>	<b>-</b>
<b>Ending Balance</b>	<b>\$</b>	<b>202,255</b>
<b>* Appropriated in fiscal year's 2020 budget</b>		
<b>Capital Improvement Fund - Enterprise Fund Cash Projects</b>		
Beginning Balance	\$	-
Transfer in From Enterprise Fund	\$	500,000
<b>Total Resources</b>	<b>\$</b>	<b>500,000</b>
<b>Central Well Control Panel</b> - Replace control panel that controls Booster Pumps 1, 2, and 3. Replace or run new wiring as needed due to abandoned runs, previous splices, and outdated components.	\$	500,000
<b>Total FY 2021 Enterprise Fund CIP</b>	<b>\$</b>	<b>500,000</b>
<b>Ending Balance</b>	<b>\$</b>	<b>-</b>



FY 2021 Capital Improvement Projects		
<b>Capital Bond Fund CIP</b>		
Available Beginning Fund Balance	\$	-
Bonds for Better Bellaire 2016 Revenue	\$	6,000,000
Total Resources	\$	6,000,000
Total FY 2021 Capital Bond Fund CIP		
Ending Balance	\$	6,000,000
<b>METRO Fund CIP</b>		
Beginning Balance	\$	77,158
Current Year Revenues	\$	1,284,114
Total Resources	\$	1,361,272
<b>Pavement Management Program</b> – This maintenance program was created from the City Engineer’s Infrastructure Report in 2015 to improve the overall quality of the street and sidewalk systems by repairing or replacing asphalt and concrete pavement.	\$	1,070,000
<b>Traffic Signal Maintenance</b> - This maintenance program will fund preventative maintenance of traffic signals, cabinets, cameras, and related materials for the City's traffic signal infrastructure.	\$	10,000
<b>Intelligent Transportation System (ITS) Infrastructure/ Traffic Management System</b> - Funding for this project was awarded through the H-GAC Regional Transportation Plan (RTP) for 2022. Funding for this project includes the City's share and contribution for design and construction to install fiber optic cable, twisted-pair communication cable, closed-circuit television (CCTV) cameras and loop detectors at 14 existing traffic signal intersections.	\$	250,000
Total FY 2021 METRO Fund CIP	\$	1,330,000
Ending Balance	\$	31,272
<b>Combined FY 2021 Adopted Capital Improvement Plan</b>		
Total CIP Resources	\$	8,063,527
Total CIP Projects	\$	1,830,000
Total CIP Ending Balances	\$	6,233,527

## Five-Year Capital Improvement Plan

### Capital Improvement Fund - General Fund Cash Projects

Description	FY 2021 Proposed	FY 2022 Planned	FY 2023 Planned	FY 2024 Planned	FY 2025 Planned	FY 2021 - FY 2025 Totals
Available Unappropriated Beginning Balance	\$ 13,105	\$ 13,105	\$ 23,105	\$ 3,105	\$ 23,105	\$ 13,105
Earmarked - ROW (Paseo Park)	\$ 189,150	\$ 189,150	\$ -	\$ -	\$ -	\$ 189,150
Transfer in From General Fund	\$ -	\$ 360,000	\$ 150,000	\$ 120,000	\$ -	\$ 630,000
Donations for funding the Mulberry Park Restroom Facility project *	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Resources</b>	<b>\$ 202,255</b>	<b>\$ 562,255</b>	<b>\$ 173,105</b>	<b>\$ 123,105</b>	<b>\$ 23,105</b>	<b>\$ 832,255</b>
<b>Mulberry Park Restroom Facility</b> - Provide a permanent public bathroom to meet the growing demands from park users. Requires a sanitary line connection along the back of the park to Mulberry Lane, and the construction will need to be built to withstand high public usage while focusing on security. <u>This project will only be funded using donations from outside entities such as Bellaire Little League or PATRONS for Bellaire Parks. The City will not fund this project with tax revenues.</u>	*					\$ -
<b>Mulberry Park Parking Lot</b> - Replace the parking lot and add drainage		\$ 100,000				\$ 100,000
<b>Bellaire Family Aquatic Center Pool Area Improvements</b> - Improves pool amenities by adding additional shade structures for patrons around the pool deck. Replace the concrete blocks under the waterslide feature with a flat deck and proper drainage. Add additional decking around the pool to accommodate the needs of the pool patrons as it pertains to daily use and aquatic programming needs.		\$ 150,000				\$ 150,000
<b>Holly Street Esplanade</b> - Additional amenities for the Holly Street esplanade including plantings, additions to the irrigation system, and additional site furnishings on the medians that were not improved in FY 2016			\$ 50,000	\$ 100,000		\$ 150,000
<b>Playgrounds, Shade Structures, and Park Amenities</b> - Provides annual funding to address city-wide replacement and/or purchase of new playground equipment, shade structures and park amenities.		\$ 100,000				\$ 100,000
<b>Loftin Park Improvements</b> - Improvements to Loftin Park including invasive or unhealthy tree removal, additional tree plantings, irrigation system, and fencing improvements.			\$ 120,000			\$ 120,000
<b>Paseo Park West Expansion</b> - Park expansion would be possible with future relocation of Metro transit center. Funding is restricted and can only be used to develop new park facilities.		\$ 189,150				\$ 189,150
<b>Total General Fund CIP Expenditures</b>	\$ -	\$ 539,150	\$ 170,000	\$ 100,000	\$ -	\$ 809,150
<b>Total General Fund CIP Ending Balance</b>	\$ 202,255	\$ 23,105	\$ 3,105	\$ 23,105	\$ 23,105	\$ 23,105

\* Appropriated in fiscal year's 2020 budget.

**The CIP beyond FY 2021 does not appropriate any funds for projects listed; it is a guideline for planning.**

## Five-Year Capital Improvement Plan

### Capital Improvement Fund - Enterprise Fund Cash Projects

Description	FY 2021 Proposed	FY 2022 Planned	FY 2023 Planned	FY 2024 Planned	FY 2025 Planned	FY 2021 - FY 2025 Totals
Available Beginning Balance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Transfer in from Enterprise Fund	\$ 500,000	\$ 435,000	\$ -	\$ -	\$ -	\$ 935,000
<b>Total Resources</b>	<b>\$ 500,000</b>	<b>\$ 435,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 935,000</b>
<b>Central Well Control Panel</b> - Upgrade control panel that controls Booster Pumps. Replace or run new wiring as needed due to abandoned runs, previous splices, and outdated components.	\$ 500,000					\$ 500,000
<b>Feld Park Well</b> - Add a new standby diesel generator, improving for health and safety of City water supply and fire fighting capabilities. Feld Park provides groundwater and is also the only other supply of surface water for the City. A standby generator will allow the City to have two operable groundwater and surface water sources readily available in the event of a power outage.		\$ 435,000		\$ -		\$ 435,000
<b>Total Enterprise Fund CIP Expenditures</b>	<b>\$ 500,000</b>	<b>\$ 435,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 935,000</b>
<b>Total Enterprise Fund Ending Balance</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

The CIP beyond FY 2020 does not appropriate any funds for projects listed; it is a guideline for planning.

Five-Year Capital Improvement Plan Capital Bond Fund						
Description	FY 2021 Proposed*	FY 2022 Planned**	FY 2023 Planned**	FY 2024 Planned**	FY 2025 Planned***	FY 2021 - FY 2025 Totals
Available Beginning Fund Balance	\$ -	\$ 6,000,000	\$ -	\$ -	\$ -	\$ -
Current Year Revenues	\$ 6,000,000	\$ 16,700,000	\$ 15,500,000	\$ 15,000,000	\$ 13,000,000	\$ 66,200,000
<b>Total Resources</b>	<b>\$ 6,000,000</b>	<b>\$ 22,700,000</b>	<b>\$ 15,500,000</b>	<b>\$ 15,000,000</b>	<b>\$ 13,000,000</b>	<b>\$ 66,200,000</b>
<b>Street, Drainage and Sidewalks</b> – The program will continue the City's practice to design and construct streets and upgrade storm sewers concurrently in one project with sidewalks installed on at least one side of the street.		\$ 12,500,000	\$ 12,500,000	\$ 12,000,000	\$ 8,500,000	\$ 45,500,000
<b>Regional Participation</b> - City's share and contribution for design and construction for regional drainage improvements.		\$ 6,000,000				\$ 6,000,000
<b>*** Master Drainage Conceptual Plan Preliminary Engineering Report and Design</b> - This project is to implement the Study - North/South Drainage Systems and Cypress Ditch. The City's share and contribution for preliminary engineering and design include improvements to the interior storm sewer systems, main trunk systems, detention ponds, and sheet flow barriers to increase capacity for local and regional storm sewer systems. Cypress Ditch, Kilmarnock Ditch and the north/south drainage systems will be improved.						\$ -
<b>*** Master Drainage Conceptual Plan Construction</b> - This project is to implement the Study - North/South Drainage Systems and Cypress Ditch. The City's share and contribution for construction improvements to the interior storm sewer systems, main trunk systems, detention ponds, and sheet flow barriers to increase capacity for local and regional storm sewer systems. Cypress Ditch, Kilmarnock Ditch and the north/south drainage systems will be improved.			TBD			\$ -
<b>Distribution and Collection System Improvements</b> – This program was created from prior utility condition assessments to replace identified wastewater and water lines that are failing to provide the desired level of service due to the deterioration of aging lines.		\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	\$ 3,500,000	\$ 12,500,000
<b>Wastewater Treatment Plant Electrical</b> - Replacement of the control panel and components. The current control panel is the original panel installed during the construction of the facility to operate the various pumps and motors that run the WWTP. The electrical wiring and components have exceeded their life expectancy. It is recommended to upgrade the electrical wiring, breakers, starters, and include modern smart controls.		\$ 1,200,000				\$ 1,200,000
Public Works Building - Funding for a possible land acquisition to design and construct a new Public Works facility ****					\$ 1,000,000	\$ 1,000,000
<b>Total Capital Bond Fund CIP Expenditures</b>	<b>\$ -</b>	<b>\$ 22,700,000</b>	<b>\$ 15,500,000</b>	<b>\$ 15,000,000</b>	<b>\$ 13,000,000</b>	<b>\$ 66,200,000</b>
<b>Total Ending Balance</b>	<b>\$ 6,000,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

\* 2016 BBB2016 Remaining bond authority

\*\*Sale of 2021 Bonds For Better Bellaire 2021 (BBB2021)

\*\*\*Sale of 2024 Bonds For Better Bellaire 2024 (BBB2024)

\*\*\* Funding for this project is not part of the fiscal forecast.

Note: \$3.7 million appropriated in FY 2019 for sidewalks re-appropriated to street and drainage projects.

The CIP beyond FY 2020 does not appropriate any funds for projects listed; it is a guideline for planning.

Five-Year Capital Improvement Plan						
METRO Fund						
Description	FY 2021 Proposed	FY 2022 Planned	FY 2023 Planned	FY 2024 Planned	FY 2025 Planned	FY 2021 - FY 2025 Totals
METRO Sales Tax Available Beginning Balance	\$ 77,158	\$ 31,272	\$ 48,227	\$ 48,152	\$ 11,176	\$ 77,158
Current Year Revenues	\$ 1,284,114	\$ 1,296,955	\$ 1,309,925	\$ 1,323,024	\$ 1,336,254	\$ 6,550,272
Total Resources	\$ 1,361,272	\$ 1,328,227	\$ 1,358,152	\$ 1,371,176	\$ 1,347,430	\$ 6,627,430
<b>Pavement Management Program</b> – This maintenance program was created from the City Engineer’s Infrastructure Report in 2015 to improve the overall quality of the street and sidewalk systems by repairing or replacing asphalt and concrete pavement.	\$ 1,070,000	\$ 1,050,000	\$ 1,300,000	\$ 1,350,000	\$ 1,300,000	\$ 6,070,000
<b>Traffic Signal Maintenance</b> - This maintenance program will fund preventative maintenance of traffic signals, cabinets, cameras, and related materials for the City's traffic signal infrastructure.	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 50,000
<b>Traffic Signalization and Mobility</b> - Funding for this project was pursued through the H-GAC Regional Transportation Plan (RTP) for 2022 and was not selected this time. Funding for this project includes the City's share and contribution for design and construction to develop a City-wide traffic signal timing optimization program.		\$ 220,000				\$ 220,000
<b>Intelligent Transportation System (ITS) Infrastructure/ Traffic Management System</b> - Funding for this project was awarded through the H-GAC Regional Transportation Plan (RTP) for 2022. Funding for this project includes the City's share and contribution for design and construction to install fiber optic cable, twisted-pair communication cable, closed-circuit television (CCTV) cameras and loop detectors at 14 existing traffic signal intersections.	\$ 250,000					\$ 250,000
Total Expenditures	\$ 1,330,000	\$ 1,280,000	\$ 1,310,000	\$ 1,360,000	\$ 1,310,000	\$ 6,590,000
Total Ending Fund Balance	\$ 31,272	\$ 48,227	\$ 48,152	\$ 11,176	\$ 37,430	\$ 37,430

The CIP beyond FY 2020 does not appropriate any funds for projects listed; it is a guideline for planning.

Capital Improvement Plan Future Projects	
Description	Estimated Budget
<i>Cost estimates should be reevaluated as projects are identified as funded and schedules are identified, as inflation will impact these estimates.</i>	
<b>South Rice Esplanade Improvements</b> - Improvements to the four esplanades along South Rice Avenue at Bellaire Boulevard and Bissonnet Street. Project to include design and construction of mow strips, additional planting, edging, mulch, and other landscape improvements.	\$ 130,000
<b>9/11 World Trade Center Steel Project Construction</b> - Donations have been received from the Rotary Club to fund the preliminary design of a plaza intended to display pieces of steel from the World Trade Center. The pieces are currently stored in the City's impound facility and show signs of damage from the attack on September 11, 2001. Construction costs will be more accurately estimated after preliminary design is completed. Funding for this project will come from non-City of Bellaire sources.	\$ 600,000
<b>Bellaire Town Square Ball Field</b> - Upgrade / automate ball field lights, poles, and netting	\$ 500,000
<b>Bellaire Town Square Tennis Courts</b> - Upgrade / automate tennis court lighting and tennis court resurfacing	\$ 250,000
<b>Bellaire Town Square Recreation Center Renovation Design</b> - Programming and design of key improvements to the Bellaire recreation center building	\$ 120,000
<b>Bellaire Town Square Recreation Center Renovation Construction</b> - Key improvements to include accessibility upgrades and general renovations	\$ 800,000
<b>Bellaire Town Square Concession Stand Concept and Design Costs</b> - Programming and design of concession stand for the baseball field at Bellaire Town Square	\$ 60,000
<b>Bellaire Town Square Concession Stand Construction</b>	\$ 700,000
<b>Mulberry Park Tennis Courts</b> - Replace tennis fencing, upgrade and automate lighting, and resurface tennis court	\$ 300,000
<b>Mulberry Park Ball Field</b> - Upgrade / automate ball field lighting	\$ 300,000
<b>Feld Park Renovation Design</b> - Park improvements including parking lot, sidewalks and paths, fencing, and sports fields/courts	\$ 150,000
<b>Feld Park Construction</b> - Park improvements including parking lot, sidewalks and paths, fencing, and sports fields/courts and ball field lighting	\$ 1,700,000
<b>Vic Driscoll Park Pathway Lighting</b>	\$ 70,000
<b>Trolley Esplanade Renovation</b> - Improvements to include general and specialized lighting, sidewalks and paths, drainage, signage and interpretive graphics, and trolley area improvements in Paseo Park	\$ 1,000,000
<b>Park Signage Master Plan and Implementation</b> - Funds would include master planning, design, and implementation of new signage in City Parks with the goal of improving the overall aesthetics of the parks	\$ 100,000
<b>Library Building</b> - Design and construction of a new library building located along Jessamine Street. The new facility will be part of the overall City of Bellaire campus.	\$ 9,800,000
<b>Public Works Building</b> - Funding for possible design and construction of a Public Works facility	\$ 11,500,000
<b>Evergreen Park</b> - Per the Evergreen Parks Master Plan, this project includes design and construction of the Park	\$ 5,100,000

The CIP beyond FY 2021 does not appropriate any funds for projects listed; it is a guideline for planning.

Capital Improvement Plan Future Projects	
<i>Description</i>	<i>Estimated Budget</i>
<b>ADA improvements-</b> Funding will allow the City of Bellaire to begin correcting accessibility deficiencies after the completion of the ADA assessment and transition plan. Improvements will include, but aren't limited to, buildings/ facilities, parks, sidewalks, and public areas through out the City	\$ 250,000
<b>Joe Gaither Park Design</b> - If additional park land is acquired, design costs for new park improvements including a playground, irrigation, walkways, benches, lights, picnic area, gazebo, and other park amenities	\$ 100,000
<b>Joe Gaither Park Construction</b> - Construction for new park improvements including a playground, irrigation, walkways, benches, lights, picnic area, gazebo, and other park amenities	\$ 500,000
<b>Total Future Projects</b>	<b>\$ 34,030,000</b>

The CIP beyond FY 2021 does not appropriate any funds for projects listed; it is a guideline for planning.

# City of Bellaire

---

## Parks, Recreation and Facilities

To: Paul A Hofmann, City Manager and  
ChaVonne Sampson, Director of Development Services

From: Karl Miller, Director of Parks, Recreation and Facilities

Date: March 4, 2020

Subject: Parks and Recreation Advisory Board 5-year CIP recommendations

During the January 2020 Parks and Recreation Advisory Board meeting the board briefly reviewed the 5-year CIP. The board did spend a significant amount of time reviewing the 5-year CIP during the February 2020 meeting. Attached is the board's recommendation which was approved on February 19, 2020.

The board was cognitive that the current primary focus of the City of Bellaire was streets and drainage but felt it was important that the City also continues to focus on the quality of life related issues such as Parks, Recreation and Facilities.

For fiscal year 2021, the board did recommend that the City should allocate \$200,000.00 towards the design of Evergreen Park with the goal of including the park and pool renovation on the next bond referendum. They also believed the City of Bellaire should consider purchasing the four vacant lots that are for sale on Lafayette street to expand Lafayette Park and perhaps to enhance water retention in the Southdale area.

They also felt the City of Bellaire should consider including Evergreen Park and the construction of a new Library in a 2022 bond.

The only additional new item added to the list was the construction of a new dog pound which was identified as a future project with no recommended year for construction.



**5-year CIP Recommendations from the Parks and Recreation Advisory Board  
19-Feb-20**

Description	2021	2022	2023	2024	2025
<b>Mulberry Park Restroom Facilities</b> -Provide a permanent public bathroom to meet the growing demands from park users. Requires a sanitary line connection along the back of the park to Mulberry Lane, and the construction will need to be built to withstand high public usage while focusing on security. <u>This project will only be funded using donations from outside entities such as Bellaire Little League or Patrons for Bellaire Parks. The City will not fund this project with tax revenues.</u>		\$ 250,000.00			
<b>Mulberry Park parking lot engineer approved design drawing</b> - Funds necessary to meet requirements of CenterPoint for receive their approval of parking lot enhancements.		\$ 50,000.00			
<b>Mulberry Park parking lot construction</b> -replace and expand parking lot			\$ 200,000.00		

Parks Board revised 5 year CIP 022020

<b>Bellaire Family Aquatic Center (originally scheduled for 2018)</b> - Improves pool amenities by adding additional shade structures for patrons around the pool deck. Replace the concrete blocks under the waterslide feature with a flat deck and proper drainage. Add additional decking around the pool to accommodate the needs of the pool patrons as it pertains to daily use and aquatic programming needs.			\$ 150,000.00		
<b>Holly Street</b> - Additional amenities and plantings for the Holly Street Esplanade Project. Project includes additional plantings, additions to the irrigation system, and additional site furnishings on those medians that were not improved in FY 2016.					\$ 150,000.00
<b>Playground, Shade Structure and Park Amenities</b> - Provides annual funding to address city-wide replacement and/or purchase of new playground equipment, shade structures and park amenities.		\$ 100,000.00			
<b>Loftin Park</b> - Improvements to Loftin Park including invasive or unhealthy tree removal, additional tree plantings, irrigation system, and fencing improvements.				\$ 120,000.00	
<b>Paseo Park west expansion</b> - Park expansion would be possible with future relocation of Metro transit center. Funding is restricted and can only be used to develop new park facilities.		\$ 189,150.00			

Parks Board revised 5 year CIP 022020

<b>Bellaire Little League concession stand concept and design-</b> Concession stand has numerous ADA related issues, the area does not flow well for pedestrian mobility and is visually unappealing.				\$ 60,000.00	
<b>Bellaire Little League concession stand construction-</b> Funding to cover cost of construction					\$ 700,000.00
<b>Evergreen Park design-</b> Funding necessary to complete design phase and complete construction drawings.	\$ 200,000.00				
<b>Evergreen Park construction-</b> Funds necessary to renovate park.		\$ 5,100,000.00			
<b>Replace tennis court lights-</b> Upgrade and replace old lights on tennis courts in Feld, Town Square and Mulberry Parks.				\$ 600,000.00	
<b>Recreation Center design-</b> Center has numerous ADA related issues and areas of the facility that are undersized to meet the demands of patrons.			\$ 200,000.00		
<b>Recreation Center renovation Construction-</b> Funds necessary to meet ADA requirements and patrons needs				\$ 1,000,000.00	
<b>Feld Park design-</b> Funds necessary to design park improvements					\$ 100,000.00
<b>Lafayette Street land acquisition-</b> Funds necessary to purchase lots on Lafayette street that are currently up for sale.	\$ 1,100,000.00				
<b>Library</b>		\$ 9,800,000.00			
<b>Total</b>	<b>\$ 1,300,000.00</b>	<b>\$ 15,489,150.00</b>	<b>\$ 550,000.00</b>	<b>\$ 1,780,000.00</b>	<b>\$ 950,000.00</b>

**Future CIP Projects**

Dog Park Improvements	\$ 200,000.00
Dog Pound	\$ 6,000,000.00
South Rice Esplanade Improvements	\$ 130,000.00
911 World Trade Center Steel Project Construction	\$ 600,000.00
Bellaire Town Square Ball Field	\$ 500,000.00
Feld Park renovation construction	\$ 1,700,000.00
Vic Driscoll Pathway lighting	\$ 70,000.00
Trolley Esplanade Renovation	\$ 1,000,000.00
Park Signage Master Plan	\$ 100,000.00
Public Works Building	\$ 11,500,000.00

Revised 2/25/2022

# City of Bellaire

---

## Planning and Zoning Commission

**To:** Mayor and City Council  
**From:** Ross Gordon, Chair, Planning & Zoning Commission  
**CC:** ChaVonne Sampson, Director of Development Services  
**Date:** March 12, 2020  
**Subject:** Report and Recommendation on the City of Bellaire's 2021-2025 Draft Five Year Capital Improvement Plan

In the City of Bellaire's Code of Ordinances Chapter 24-402 – Capital Improvement Program, each year the Planning and Zoning Commission should review and comment on the consistency of the Capital Improvement Program with the adopted Comprehensive Plan. At the Commission's February 13 meeting, City Manager, Paul Hofmann, presented the Draft Five-Year FY 2021-2025 Capital Improvement Program to the Commission to receive comments on how it relates to the City's adopted Comprehensive Plan. After the presentation, the Commission asked questions about grant funding and grant processes.

### **CONSIDERATION**

Further discussion of the City of Bellaire's Fiscal Years 2021-2025 Capital Improvement Program occurred during the Planning and Zoning Commission's Regular Session on March 12, 2020. Consideration of the item took place the same night.

### **RECOMMENDATION**

The Planning and Zoning Commission is in favor of the recommendations set forth in the City of Bellaire's Fiscal Years 2021-2025 Capital Improvement Program. The Commission recommends for the City Council to approve this document and take the following items into consideration:

- 1.
- 2.
- 3.

### **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:**

## AGENDA STATEMENT

## City of Bellaire

**MEETING:** Planning & Zoning Commission - Mar 12 2020

**PREPARED BY:** ChaVonne Sampson

**DEPARTMENT:** Development Services

### ITEM TITLE:

Consideration of and possible action on a recommendation for a professional consultant to assist in drafting of proposed amendments to Section 24-544, Technical Research Park District (TRPD), for the purpose of creating a new zoning district, North Bellaire Special Development (NBSD) District.

### RECOMMENDATION:

The Director of Development Services recommends approval of the appointment of Kendig Keast Collaborative (KKC) as the planning consultant, due to their knowledge of the City's Comprehensive Plan and Zoning Ordinance.

### BACKGROUND/SUMMARY:

There are three suggested areas of focus for the Commission during the deliberation and consideration of this agenda item.

- Is the Commission ready to submit a draft ordinance for the Consultant's review?
- Is the Commission ready to recommend a consultant to the City Council?
- Are there questions about the process moving forward?

#### The Draft ordinance

##### *Consistency with the Comprehensive Plan*

The December 12th draft of the North Bellaire Special Development District is attached with minor changes to reflect Commissioner's comments regarding the Comprehensive Plan. There is direct language in the Comprehensive Plan stating that Multi-Family uses are more appropriate for, and is provided for, in other zoning districts.

The Comprehensive Plan language for this site also indicates that the only land use to be considered "by right" is single family residential. It is important that the direction to the consultant is consistent with this Comprehensive Plan provision.

##### *Consistency with public input*

Public input so far on this topic has been consistent with the Comprehensive Plan on the importance of protecting nearby residential uses with appropriate screening and buffering measures. This

includes the application of higher landscaping along the perimeter of the site near roadways and between residential and non-residential areas. The draft ordinance also encourages the quality of non-residential uses to match the quality of the residential uses within the City. Direction to the consultant will ensure this is included in the review, as well as a thorough site plan review process that ensures the compatibility of current and future uses. The consultant will also be guided to understand the public's emphasis on mitigating the impacts of traffic, building height, and density.

#### **Consultant Selection Recommendation**

Attached are both the pre-scope memorandum and the actual proposed scope of work for tonight's consideration. After review of the proposals, Development Services staff is recommending that the consultant proceed with 3 of the 11 asks included in the proposals. Task 1, 2, and 7, meet the scope of work criteria which was approved at the February 13th meeting.

Task	Description
Task 1	Critique current draft Sec. 24-544 and prepare resulting memorandum
Task 2	Review Bellaire Place materials
Task 7	P&Z public hearing (as needed) preparation and support

KKC is recommended because of the amount of time that will be saved given their knowledge of the Comprehensive Plan and Zoning Ordinance. In addition, their proposal reflects more of an awareness of the issue.

#### **Next Steps**

March 16th

- City Council Meeting to consider Planning and Zoning Planning Consultant recommendation

March 20th

- Staff works with Consultant to finalize contract

April 3

- Delivery of Memorandum from review of current draft ordinance.

April 9

- Staff reviews Memorandum at Planning and Zoning meeting

April 13- May 1

- Staff works with consultant to prepare for a May 14th Public Hearing for Rezoning of 4800 Fournace

June 11

- Planning and Zoning Consideration for Rezoning of 4800 Fournace Place

**CITY ATTORNEY REVIEW:**

☐ Yes ☒ No



## Sec. 24-536. – North Bellaire Special Development District (NBSD)

### A. *Purpose.*

*Purpose.* This district provides for redevelopment possibilities for a contiguous, rectangular area for over 30 acres in the northern section of Bellaire. The district is intended for local shopping, entertainment, services that cater primarily to the Bellaire community. This district encourages pedestrian-oriented design that includes uses and amenities which will boost the quality of life in Bellaire. Such uses should not exceed the height within the designated zones and should be designed to be compatible with adjacent residential areas. Buffering is emphasized throughout the entire district to protect the more suburban character of the established residential neighborhood located immediately north of the area and also to the south across Fournace. Development intensity should be greatest along the IH-610 frontage road and along Fournace, with lower development intensity abutting residential districts.

### B. *Uses.*

#### (1) Permitted Uses

##### a) Utilities

- 1) Local utility distribution lines; and
- 2) Telephone lines and related cross-connecting points.

##### b) Facilities owned and maintained by the City of Bellaire or other governmental entities, including public transit facilities and public parks.

##### c) Planned Development: Commercial Mixed-Use Developments. Applicants may propose planned developments in this district under the amendatory procedures in Section 24-604. This procedure will enable consideration of development proposals involving uses or designs that might not strictly adhere to the standards within this Section but would meet the spirit and intent of the district. All such applications must still meet the following district standards:

- 1) Minimum site area;
- 2) Minimum site width and depth;
- 3) Maximum building height;
- 4) Height-setback plane where a property is at a boundary of the NBSD district and an abutting residential property uses as follows, subject to the requirements of Section 24-510, except that, for the purposes of the CMU district, an accessory use may occur within a portion of a principal structure; and
- 5) Mix Uses consisting of a combination of two or more of the permitted uses listed in this subsection, including:
  - (a) Business and professional offices and services
  - (b) Banks, credit unions and similar institutions.
  - (c) Restaurants, without drive-in and/or drive-through service, Bars, when accessory to a principal restaurant, hotel, commercial indoor amusement, movie theater, or theater use, and subject to

the requirements of Chapter 3, Alcoholic Beverages, of the City Code .

- (d) General retail sales and services.
- (e) Indoor movie theater;
- (f) Indoor athletic facilities;
- (g) Hotels, as defined in Section 24-202(87), designed to where ingress to and egress from all rooms is made through an inside lobby.
- (h) Conference center facilities.
- (i) Medical offices and/or urgent care facilities;
- (j) Amusement, commercial indoor.
- (k) Studios for photography, art, music, dance or fitness activities.
- (l) Museums or art galleries.
- (m) Office Plaza.
- (n) Theaters, for live performances.
- (o) Commercial parking garage operations, within multi-level and/or underground garage space as defined in Section 24-202(78), but not commercial surface parking lots (areas) as defined in Section 24-202(42).

(2) *Specific uses.*

- a) Churches

(3) *Temporary uses.* Temporary uses in the NBSD district shall be authorized, permitted, limited in duration and subject to potential time extensions as provided in Section 24-505. Examples of such uses include:

- a) Construction offices.
- b) Public interest or special events.
- c) Sidewalk sales and other outdoor sales events (e.g. farmer's market).

(4) *Prohibited Uses.*

- a) Single-family dwellings (detached or attached).
- b) Multi-family residential.
- c) Pawnshops.
- d) Tattoo Shops.
- e) Schools
- f) Hospital or emergency room
- g) Vehicle sales and services, including service stations, vehicle washing, vehicle repair and vehicle storage.
- h) Motels, as defined in Section 24-202(111), where ingress to and egress from each room is through an outside entrance.
- i) Mini-storage businesses.
- j) Commercial parking lots (areas) as defined in Section 24-202(42).
- k) Industrial and/or manufacturing uses.
- l) Warehousing, wholesaling and distribution facilities.

- m) Mortuaries or funeral homes.
- n) Cemeteries.
- o) Payday Lending shops
- p) Kindergarten, nursery and /daycare.
- q) Vape/Head shops.

C. *Development Standards.*

- (1) *Site plan review required.* All planned development applications in the NBSD district are subject to approval by the Planning and Zoning Commission following a site plan review process to determine conformance with the substantive standards for this district and other applicable provisions of the City Code. Applicants shall satisfy all application and submittal requirements itemized in Section 24-524.
  - a) *Traffic Impact Analysis:* all applications relating to a change in use or development intensity shall include a Traffic Impact Analysis as part of the site plan review. This traffic impact analysis must consider the projected build-out of the full district, based on a conservative estimation of future development. Any and all traffic impacts shall be assessed, and all reasonable mitigations actions implemented to maintain existing level of service on South Rice and Fournace.
- (2) *Size and area.*
  - a) *Site Area.* The minimum site area for all developments shall be three acres.
  - b) *Maximum building height.* Height throughout the district will be governed by zone as shown in Figure 24-544.A. Specifically:
    - 1) *Zone A (East):* 85 feet including drive under parking, except that: up to 10 feet of additional height is allowed to accommodate roof gables, chimneys, vent stacks, and mechanical equipment, with the total not to exceed ninety-five (95) feet above the average level of the base of the foundation of the building.
    - 2) *Zone B (Center):* 55 feet including drive under parking, except that that: up to 10 feet of additional height is allowed to accommodate roof gables, chimneys, vent stacks, and mechanical equipment, with the total not to exceed sixty-five (65) feet above the average level of the base of the foundation of the building. Existing facilities built to a height greater than 55 feet are grandfathered and are not governed by this requirement. However, any new development within this zone shall strictly follow this requirement.
    - 3) *Zone C (West):* 65 feet including drive under parking, except that that: up to 10 feet of additional height is allowed to accommodate roof gables, chimneys, vent stacks, and mechanical equipment, with the total not to exceed seventy-five (75) feet above the average level of the base of the foundation of the building.

- (a) Requests for additional height beyond the allowances provided in items (1), (2), and (3), above, shall require approval of a specific use permit.
- (3) *Minimum required yards.* As established by the approved site plan for the planned development amendment, except that for side and rear yards:
  - a) Where a property is at a boundary of the NBSD district and a residential property in an R-3 district either abuts or is directly across an alley from the subject property in the NBSD district, the minimum yard toward the abutting property or alley shall be fifteen (15) feet. Additionally, any portion of the principal building that exceeds 27 feet in height, including any "additional height" extensions, shall be set back an additional amount, computed as two (2) feet from the 15-foot building line at ground level for each one (1) foot of additional building height above 27 feet. This ratio establishes a height-setback plane as illustrated in Figure 24-536.A.

Additionally, in situations as described above, the screening and buffering required between certain uses in Section 24-513.D. shall be supplemented by planting of a row of trees along the side or rear property line toward the abutting residential property or alley. This shall involve trees of forty-five (45)-gallon size spaced a maximum of ten (10) feet on center along the property line. The supplemental tree planting shall not count toward any other minimum site landscaping requirements in this Chapter.

Planting of trees within any utility easements along the property line shall meet any applicable Department of Public Works standards to protect underground and overhead utilities, and any utility company policies with regard to allowable screening methods and the location and height of screening. Where compliance with the supplemental tree planting requirement is not possible due to utility conflicts, the administrative official shall work with the applicant during the site plan review process, or with the applicant and the Planning and Zoning Commission for planned development applications, to seek an alternate solution which is not in conflict with the purposes of this subsection.

- 1) On properties subject to the height-setback plane, no accessory structure shall be located within the 15-foot yard area toward the abutting residential property or alley. Any accessory structure on the subject property shall comply with the height-setback plane requirements as applied to the principal structure, in addition to the requirements of Section 24-510.
  - b) Limitation on outdoor activity adjacent to residential districts. Where a property is at a boundary of the NBSD district and an abutting residential property is in an R-3 district, any outdoor seating, assembly or other area that

is partially or entirely outside the principal structure and intended for patronage by or service to customers of the use shall be located only in front of a line connecting the two midpoints of the two opposite side lot lines. Any such outdoor activity shall also comply with the performance standards for noise in Section 24-511.

- (4) *Maximum site coverage.* As established by the approved site plan for the planned development amendment
- (5) *Parking.* A minimum number of off-street parking spaces shall be required as follows:
  - a) A minimum number of off-street parking spaces as provided in Section 24-514a.
- (6) *Outdoor lighting.* All outdoor lighting shall be located, screened or shielded so that adjacent residential lots or structures are not directly illuminated.



March 6, 2020

Ms. ChaVonne Sampson  
Director of Development Services  
City of Bellaire  
7008 South Rice Avenue  
Bellaire, Texas 77401

RE: Response to Inquiry for Professional Services (TRP Text Amendment 2020)

Dear ChaVonne:

Thank you for inviting Kendig Keast Collaborative (KKC) to follow up on our response to the City's earlier "pre-scope inquiry," which we submitted to you on February 7 (attached at the back of this letter). We appreciate the positive feedback to what we already outlined and understand that this is an opportunity to update our submittal based on further discussions since. In particular, we watched the February 13 Planning & Zoning Commission (P&Z) deliberations regarding the desired scope of work and potential level of consultant involvement. Based on this, we recognize that the immediate focus may only be on these two activities:

1. Completing an independent review and providing our findings and recommendations regarding the P&Z's latest draft of potential provisions for a new Sec. 24-544. – North Bellaire Special Development District (NBSD).
2. Attending a P&Z workshop meeting to present our findings and recommendations, respond to questions, and participate in further discussion with Commissioners and staff (along with any necessary pre-meeting discussions in preparation for the workshop session).

Therefore, in this letter we have extracted and updated information from our previous submittal to focus on these items and the associated hours, cost and timeline we would anticipate, pending further discussions with the City. Our February 7 submittal reflected a broader potential work program and level of involvement that was based on the direction we received through the City's initial inquiry, the accompanying P&Z letter to Mayor and City Council, and City Council discussions on the matter. **The previous submittal also provided an overview of our Experience and Qualifications, on pages 1 and 2.**

## **POTENTIAL SERVICES**

---

### **TASK 1: Complete Independent Evaluation**

We would review the P&Z's latest draft of potential provisions for a new Sec. 24-544. – North Bellaire Special Development District (NBSD). Along with any specific direction from City staff and/or the P&Z, our evaluation would focus on Comprehensive Plan consistency, best zoning practices, legal considerations, and any other "red flag" items the critique may bring to light. Additionally, we would apply considerations and insights from previous KKC efforts to create

[www.kendigkeast.com](http://www.kendigkeast.com)

new zoning districts and/or new or enhanced development standards in Bellaire (including our knowledge of public and official concerns and sensitivities during previous amendment drafting processes and at the hearing and consideration phase).

It should be noted that we cannot review the draft zoning district provisions in isolation but, as emphasized in our February 7 response, must consider the content within the context of the overall framework, organization, narrative style and terminology/definitions of City Code Chapter 24 (Planning and Zoning) and other pertinent City Code chapters. This will naturally add to the necessary hours for this effort, especially as we were last involved in Bellaire zoning amendments during 2013-14 and also intend to bring “a fresh set of eyes” to this effort through the involvement of KKC Senior Associate David Baird.

#### Meetings

1. A pre-evaluation conference call with City staff and others as appropriate (e.g., P&Z Chairman, City Attorney, etc.).
2. Phone conference with the City Attorney, after conducting our review but before finalizing our memorandum of findings and recommendations, to discuss any legal issues or questions that arose through our evaluation.

#### Deliverables

1. A memorandum, delivered in draft form and then a revised final version, that summarizes our findings and recommendations, accompanied by a version of the Sec. 24-544 draft with specific KKC comments inserted and with suggested text additions/deletions/modifications denoted by “underscore and strikethrough” editing (tracked changes in Microsoft Word).

#### **TASK 2: Attend Commission Workshop**

We would attend a P&Z workshop meeting to present our findings and recommendations, respond to questions, and participate in further discussion with Commissioners and staff as invited and overseen by the P&Z Chairman. We would prepare a PowerPoint presentation with appropriate summary points and visuals for the workshop purpose, and to be understandable for public attendees.

#### Meetings

1. A pre-workshop conference call with City staff and others as appropriate (e.g., P&Z Chairman, City Attorney, etc.) to cover the meeting agenda, approach and P&Z protocol.
2. P&Z workshop meeting.

#### Deliverables

1. PowerPoint presentation for workshop, delivered in advance of the P&Z workshop for staff review and comment and our subsequent finalization.

## **PROJECT SCHEDULE**

---

Based on the potential activities itemized above, we can foresee this timeline (assuming authorization to proceed with the requested professional assistance at the March 16 City Council meeting):

### Week of March 16

- Complete the **pre-evaluation conference call** and begin coordination with City staff, preferably on Tuesday, March 17.

### March 23 Week

- Complete our **initial review** of the draft zoning district provisions.
- Complete the **City Attorney interaction** regarding any legal issues and/or questions.

### March 30 Week

- Deliver **draft memorandum** with our findings and recommendations (for staff and City Attorney review and comment) by Monday, March 30.
- Deliver the **revised final memorandum** (for P&Z packet).
- Deliver **draft PowerPoint presentation** for quick-turnaround staff review and comment.

### April 6 Week

- Complete **pre-workshop conference call**, as needed, early in April 6 week.
- Prepare **revised final PowerPoint presentation** based on staff comments and pre-workshop meeting discussions.
- Attend **P&Z workshop** meeting (Thursday, April 9).

### April 13 Week

- Complete any post-workshop final coordination with City staff.

We would coordinate closely with City staff to meet whatever timeline is agreed upon. This would require steady progress on our tasks; timely receipt of necessary information and other input from staff; and prompt review and feedback on our interim and final work products.

**We are available to attend the upcoming March 16 City Council meeting, as appropriate, regarding this potential engagement.**



## PROJECT COST

Based on the potential services detailed above, the **estimated total cost is \$6,335.00**, based on the specifics contained in the table below. KKC personnel would be available on an hourly rate basis for any supplemental support needs, as specifically authorized, beyond the work activities and meeting attendance itemized above in the Potential Services section.

Task	Potential Cost
<b>1. Complete Independent Evaluation</b>	<b>\$3,690 total (25 hours)</b>
▪ Pre-evaluation conference call.	\$300 (2 hours)
▪ Review draft zoning district provisions (within Chapter 24, City Code context).	\$880 (6 hours)
▪ City Attorney interaction.	\$150 (1 hour)
▪ Draft memorandum (for staff/Attorney review).	\$1,480 (10 hours)
▪ Revised final memorandum.	\$880 (6 hours)
<b>2. Attend Commission Workshop</b>	<b>\$2,400 total (16 hours)</b>
▪ Draft presentation.	\$580 (4 hours)
▪ Pre-workshop conference call.	\$300 (2 hours)
▪ Revised final presentation.	\$440 (3 hours)
▪ P&Z workshop meeting.	\$930 (6 hours for two KKC attendees, \$30 mileage expense)
▪ Post-workshop final coordination.	\$150 (1 hour)
Any other on-call research or supplemental effort	Hourly rate basis
Contract administration and monthly invoicing (KKC Business Manager)	<b>\$235 (2 hours)</b> <b>\$10 for miscellaneous in-office photocopying</b>

Hourly billing rates for the designated KKC personnel are:

Gary Mitchell, AICP	President	\$160
David Baird, JD, AICP	Principal Associate	\$140
Kim Keast	Business Manager	\$75

KKC's cost figures include all associated labor cost plus professional fee. Per our 2020 rate schedule, all mileage expense would be billed at the current IRS rate (\$0.575 per mile).

We would submit monthly invoices based on the actual costs incurred during the prior month in support of project work completed during that period. In lieu of typical monthly progress reporting – given the nature of and short timeline for this engagement and the City's desire to minimize cost – we instead would keep you apprised through routine communications of our work progress, any difficulties or delays encountered, and steps needed to address them.

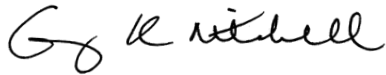
ChaVonne Sampson  
March 6, 2020  
Page 5 of 5

I trust that the information we have provided is responsive to the needs of the City of Bellaire. The information we have outlined in this letter will remain valid for a period of 30 days, through April 5. After that date, we reserve the right to review and revise the potential timing, cost and any other specifics indicated that may factor into a final scope of services and work authorization.

Kendig Keast Collaborative greatly appreciates the opportunity to submit this updated response and potentially be of service again to the Bellaire community. We look forward to hearing from you and stand ready to assist with this highly significant initiative for Bellaire's future.

Respectfully submitted,

KENDIG KEAST COLLABORATIVE

A handwritten signature in black ink, appearing to read "Gary Mitchell". The signature is fluid and cursive, with the first name "Gary" and last name "Mitchell" clearly distinguishable.

Gary Mitchell, AICP  
President



February 7, 2020

Ms. ChaVonne Sampson  
Director of Development Services  
City of Bellaire  
7008 South Rice Avenue  
Bellaire, Texas 77401

RE: Response to Pre-Scope Inquiry for Professional Services (TRP Text Amendment 2020)

Dear ChaVonne:

Thank you for inviting Kendig Keast Collaborative (KKC) to submit this response to the subject inquiry. As you know, given our long history of professional services provision to the City of Bellaire and abiding interest in the community's planning outcomes, we were aware that this need for consultant assistance might arise given the current focus on the area of north Bellaire collectively known as the "former Chevron property."

#### **EXPERIENCE AND QUALIFICATIONS**

---

Kendig Keast Collaborative (KKC) is a niche community planning firm with a 37-year history since 1982 of assisting local governments across the nation, in 38 states to date. We are leaders in our profession, and unique by being specialists in both urban planning and development regulations, and focusing almost exclusively on public sector clients. We work around the Houston area and across Texas, and also maintain a successful national consulting practice from our Sugar Land office. Like Bellaire, many clients turn to us again for ongoing plan implementation support and added tasks.

In fact, **KKC remains available to the City of Bellaire at any time under a standing On-Call Professional Services Agreement**, which was last renewed in October 2016 when the City was preparing to revisit its future land use policies and map in light of the pending Chevron property sale. A copy of the executed agreement is attached, along with an updated rate schedule for 2020.

KKC's history of service to Bellaire dates back to Fall 2006 and includes:

- **2006-2007:** Facilitation and technical support to the Planning & Zoning Commission for its "Plan to Plan" process, which led to City Council funding of a Comprehensive Plan update.
- **2007:** Completion of a City Center District assessment and market analysis (by subconsultant CDS), which later factored into the Commercial Area Development and Enhancement element of the Comprehensive Plan update.
- **2008-09:** Facilitation and technical support for the updated Comprehensive Plan adopted unanimously by City Council in November 2009.

[www.kendigkeast.com](http://www.kendigkeast.com)

- **2011:** Facilitation and technical support to create a new Urban Village-Transit Oriented Development (UV-T) zoning district as a priority plan implementation initiative (adopted in December 2011).
- **2012-14:** Facilitation and technical support to implement additional zoning ordinance amendments envisioned in the Comprehensive Plan, including reworking of two current zoning districts for the City Center area into a new Urban Village-Downtown district; consolidation of four existing zoning districts along the Bissonnet corridor into a single new Corridor Mixed Use district; a package of non-residential design standards to apply within the new UV-D and CMU districts, building on standards previously adopted for the UV-T district; and updated and enhanced provisions for landscaping/screening and parking (all adopted in March 2014).
- **2014-15:** Facilitation and technical support for a five-year interim update of the Comprehensive Plan, especially to highlight accomplishments and revisit action priorities (adopted in September 2015).
- **2016-17:** Facilitation and technical support as the Planning & Zoning Commission and City Council considered amendments to the Comprehensive Plan text and Future Land Use & Character map to add the North Bellaire Special Development Area (adopted in April 2017).

Our firm principals and senior associates bring their own public sector experience to their consulting engagements. KKC offers nine certified community planners, a non-practicing land use attorney, a planner and a landscape architect focused on urban design, a certified economic developer, a Geographic Information System (GIS) specialist, and graphics illustrators specializing in visual communication, with electronic document and web design skills.

**I would oversee this effort with support from KKC Principal Associate David Baird, JD, AICP** (see attached resumes). In addition to my many years of direct involvement in Bellaire, within the Houston area I have completed similar combinations of planning and zoning work in West University Place plus Dickinson, Fulshear, Galveston, Hitchcock, Jersey Village and Nassau Bay. Also, when the City of Pflugerville near Austin was drafting a Unified Development Code in-house during 2013-14, KKC was retained so I could provide “over the shoulder” support and feedback to City planning staff, very similar to what this potential engagement for Bellaire would involve.

David Baird specializes in zoning, subdivision and unified code evaluation, drafting and updates. While David does not actively practice law for KKC (he is a licensed attorney in Tennessee), his background in both urban planning and law enables him to understand and address complex municipal issues from multiple perspectives, interact effectively with city attorneys (including with Johnson Petrov, LLC, through his recent work in West University Place), and write ordinances and regulations that further local land use and development goals while being legally enforceable.

## **POTENTIAL SERVICES**

---

It is our understanding that the potential scope of work is still being refined at the City, and based on responses to this inquiry, could result in varying levels of consultant involvement to make the best use of such external support within a manageable cost range for the City.

In general, we note that KKC would be ready to proceed with this effort promptly and efficiently. Not only because of our established familiarity with Bellaire and its unique planning issues and priorities, but especially as I attended (on my own time and out of personal interest) the P&Z meeting on December 12 which included a public hearing and extensive discussion on a draft of the potential new Sec. 24-544. Also raised in that meeting was the notion of requesting that City Council authorize “professional assistance” for P&Z. I later viewed the video of the nearly hour-long City Council discussion, on January 27, which set priorities and parameters for the potential P&Z professional assistance, pending Council approval.

Based on this awareness, the **following principles would guide our overall approach and work efforts** regardless of the ultimate level and nature of our support role:

- We are to provide impartial **technical support** to P&Z and City staff, based on our specialized professional knowledge and experience.
- We are to **ensure that P&Z’s own intent and preferred, viable zoning strategy for the NBSD district are captured** in any proposed ordinance content presented for public hearing and ultimately recommended to City Council.
- We are **not to advocate** for a particular consultant vision or preferences on these matters – although, given our role in facilitating multiple updates of the City’s Comprehensive Plan (in 2008-09, 2014-15 and 2017), we should highlight for P&Z and City staff how any potential new or amended zoning provisions would sync with goals and direction provided by the adopted Comprehensive Plan.
- We are to **be aware of and appreciate community sentiments** on these matters, and assist P&Z and City staff in considering public input and concerns – although it is ultimately P&Z’s role to listen to such input and feedback and determine how it is reflected in any final proposed ordinance content recommended to City Council.
- We are to **facilitate workshop discussions among P&Z members and City staff**, in conjunction with the P&Z Chairman, to ensure that all the principles itemized to this point are achieved.
- We are to **apply our own knowledge of planning and zoning law, and coordinate with and ultimately defer to the City Attorney** as the City’s designated legal counsel, to ensure that the final proposed ordinance content is appropriately constructed and worded for legal validity and enforceability.
- We are to **provide further “wordsmithing” support**, together with P&Z members and City staff, to ensure editorially sound, clear, concise and understandable ordinance content.
- Through all of the above principles, we are to assist P&Z and City staff to arrive at final proposed ordinance content that is:

- Effective in terms of delivering intended outcomes (of the Comprehensive Plan and the stated zoning district purposes), and
- On target in terms of anticipating and avoiding unintended outcomes.

As during our past efforts to create new zoning districts and development standards for Bellaire, the overall framework of City Code Chapter 24 (Planning and Zoning) will remain intact. This means we would, once again, especially emphasize maintaining consistency and compatibility across Chapter 24 and all City Code chapters with regard to:

- Narrative style;
- Terminology and definitions;
- Section structure and numbering;
- Use of tables and illustrative figures, where needed;
- Use of cross referencing; and
- Administrative procedures.

Based on the potential activities itemized in your email of February 3 and in the accompanying Planning & Zoning Commission (P&Z) letter to Mayor and City Council, the following considerations should apply to each for purposes of scope finalization:

#### **Review and Comment Activities**

1. Latest draft of potential provisions for a new Sec. 24-544. – North Bellaire Special Development District (NBSD).

##### Considerations

- Confirm with City staff specific focus items for KKC's review and critique (including best practices, plan consistency, legal considerations, and any other "red flag" items the critique may bring to light).
  - Deliver a resulting memorandum summarizing KKC's findings and recommendations, accompanied by a version of the Sec. 24-544 draft with specific KKC comments inserted and with suggested text additions/deletions/modifications denoted by "underscore and strikethrough" editing (tracked changes in Microsoft Word).
  - Apply considerations and insights from previous KKC efforts to create new zoning districts and/or new or enhanced development standards in Bellaire (including our knowledge of public and official concerns and sensitivities during previous amendment drafting processes and at the hearing and consideration phase).
  - Interact with the City Attorney as needed.
2. Case/packet materials related to Bellaire Place formal applications and/or conceptual presentations to date, as further narrowed by City staff to focus KKC attention on particular project phases or aspects.

##### Considerations

- Complete this review primarily for our understanding of the nature and scale of the proposed development, associated planning and zoning issues, and where P&Z and/or

City staff may have encountered difficulties that need to be addressed in the potential new NBSD district provisions and/or procedures.

- Complete related background discussion with City staff.

#### **Potential Drafting of Substantial New or Modified Ordinance Text**

3. Possible drafting of recommended new or modified text or provisions for Sec. 24-544 that goes beyond moderate editing of the existing draft content, or that represents a significant departure from or addition to the regulatory approach and methods reflected in the current draft.

##### Considerations

- Such drafting may be triggered by our perceived need for more appropriate treatment of uses, application of development standards (especially to ensure use compatibility and/or adequate buffering and mitigation of unreasonable effects), or more or different parameters for Planned Development (PD) applications and review procedures, among other possible considerations.
  - Present alternative zoning strategies and provisions for consideration as needed and appropriate.
4. Possible creation of new graphics to illustrate key concepts or provisions in Sec. 24-544, as they exist in the current draft or as KKC-recommended content additions.

##### Considerations

- Identify any such recommended illustrations either in our critique of the existing draft or with any significant new content we propose.
- Provide a maximum cost per graphic, then gain your approval before proceeding with creation of each such graphic.

#### **Meeting Attendance and/or Facilitation**

5. Interim meetings with City staff and/or the P&Z Chairman to coordinate on work activities and status, exchange information and address questions, prepare for upcoming P&Z workshops and hearings, and coordinate on next steps following such meetings.

##### Considerations

- Such coordination can occur in person, by conference call, or by online meeting. More routine and ongoing communications can occur via email.

6. P&Z workshop to discuss and refine the NBSD district provisions among the Commissioners and City staff.

##### Considerations

- Time and effort necessary to prepare a presentation and/or graphics for this key workshop discussion.
- Take a lead role, with support from City staff and Attorney, in answering Commission questions on any aspect of the potential district provisions or any other pertinent planning and zoning consideration.

7. P&Z public hearing (as needed) on the further revised draft of Sec. 24-536.

Considerations

- Time and effort necessary to prepare an overview presentation and/or graphics to set the stage for the P&Z's acceptance of public comments.
  - Clarify KKC's level of involvement, relative to City staff and Attorney, in facilitating P&Z discussion and addressing questions following the acceptance of public comments.
8. P&Z meeting where the Commission deliberates and makes any further adjustments to proposed new Sec. 24-544 before recommending it to City Council for potential adoption.

Considerations

- Time and effort necessary to prepare a presentation and/or graphics regarding any further potential content revisions or additions P&Z may consider based on the public hearing input and its own deliberations.
- Clarify KKC's level of involvement, relative to City staff and Attorney, at this final stage of the P&Z decision and recommendation process.

## **PROJECT SCHEDULE**

---

Given that the final scope of work is still to be determined, including the level of consultant involvement, the potential timeline for the entire effort is difficult to project (and we note that the extent, scheduling and completion of final public hearings and ordinance adoption are at the City's prerogative and not under the consultant's control). However, based on the potential activities itemized above, we can foresee this potential sequence (assuming authorization to proceed with the requested "professional assistance" at the February 17 City Council meeting):

Late February

- Complete **kickoff discussions** and begin coordination with City staff.

March 2 Week

- Deliver critique memorandum from review of current draft Sec. 24-544 (for P&Z packet).
- Complete review and City staff interaction regarding Bellaire Place materials.

March 9 Week

- **Preparatory meeting and/or discussions** with City staff and/or the P&Z Chairman.
- **P&Z workshop** to present KKC critique results and discuss and refine the NBSD district provisions (March 12).
- **Debrief and next steps discussion** with City staff and/or the P&Z Chairman (March 13), including confirmation of whether KKC will, in addition to compiling the newest revised version of Sec. 24-544 based on the P&Z workshop results, also: (1) proceed with any drafting of substantial new or modified provisions for Sec. 24-544 based on KKC's critique and/or the P&Z workshop results; and (2) proceed with creation of any new graphics for the final proposed Sec. 24-544.



#### March 16 and 23 Weeks

- If authorized, continue with content drafting and/or graphics creation (for City staff review by early in the March 23 week, then finalization by the 10-day pre-hearing deadline for newspaper and mailed notices on March 30 per Sec. 24-610.— Publication).
- Check in at least once weekly with City staff during this period, preferably via conference call to limit cost.

#### April 6 Week

- **Preparatory meeting and/or discussions** with City staff and/or the P&Z Chairman.
- **P&Z meeting with a public hearing** and P&Z deliberation on the further revised draft of Sec. 24-536 (April 9).
- **Debrief and next steps discussion** with City staff and/or the P&Z Chairman, including the option of P&Z conducting a special called meeting during April to complete its deliberation and recommend a final proposed Sec. 24-544 to City Council (April 10).

#### April 20 Week

- Potential week for **special called P&Z meeting** (otherwise the overall timeline toward Council adoption would likely extend into June given the timing of required public notice).

#### April 27 Week

- Based on results of P&Z meeting, coordinate with City staff to prepare final proposed version of Sec. 24-544 for P&Z final report and City Council public hearing (by the 15-day pre-hearing deadline for newspaper and mailed notices on May 3 per Sec. 24-610).
- Determine whether further KKC participation is desired for the City Council public hearing stage (May 18 meeting), then deliberation and consideration of adoption (potentially at June 1 meeting).

We would coordinate closely with City staff to meet whatever timeline is agreed upon. This would require steady progress on our tasks; timely receipt of necessary information and other input from staff; and prompt review and feedback on our interim and final work products.

We are available to attend the upcoming February 13 P&Z meeting and the February 17 City Council meeting, as needed, regarding this potential engagement. Additionally, pending the outcome of this inquiry, we are doing our best to protect on our calendar all key Bellaire meeting dates between now and the end of May (second Thursday P&Z meetings, and first and third Monday City Council meetings).

#### **PROJECT COST**

---

As with the uncertainty regarding the potential scope of work (and level of consultant involvement), plus the associated timeline, a definitive total project cost is likewise impossible to pinpoint. However, we have provided cost estimates below for particular tasks where able at this point.

In our view, the only firm cost figure at this point involves the first step of critiquing the current draft Sec. 24-544 as that is a defined effort with known content. Even with the second item involving the Bellaire Place materials, we do not yet know the extent of these materials and the

further background and questions we may need to pursue with City staff. Beyond that point, various other potential work activities will depend on the nature and extent of further issues raised through ongoing P&Z deliberation, public input, and possible KKC recommendations in response to such deliberation and input.

Also to be determined is the degree of potential consultant involvement in preparing each iteration of the evolving Sec. 24-544 during this process. The conceptual timeline of activities above suggests that a latest revised version will be needed at a minimum of three points: (1) after the P&Z workshop and for the potential P&Z public hearing, (2) after the P&Z hearing if the subsequent Commission discussion yields further immediate adjustments prior to the next P&Z meeting, (3) after the P&Z meeting where further deliberation occurs, potentially leading to the Commission's final report (and recommended version) to City Council. Once again, the nature and extent of needed revisions at each step is not yet known.

Based on all the preliminary information we have outlined in this response, and subject to the caveats above, **the ultimate cost appears to be headed toward a range between \$9,000 and \$12,000 exclusive of any "To Be Determined" items in the table below.** However, all of this is still dependent on multiple variables, such as whether a public hearing occurs, pending a final scope of work. It should be no problem arriving at a specified cap on hours and total dollars for this engagement once a definitive scope is finalized. Even then, there may be a need to anticipate some additional effort by KKC, on an hourly rate basis, for activities not yet specified upon the start of work, which would only be initiated after case-by-case requests and authorization by City staff, and also within some maximum as-needed "supplemental" amount approved by City Council.

Task	Potential Cost
1. Critique current draft Sec. 24-544 and prepare resulting memorandum	\$3,240 (estimated 22 hours)
2. Review Bellaire Place materials	\$1,480 (estimated 10 hours, but not yet knowing the extent of materials involved)
3. Possible drafting of new/modified provisions	To Be Determined (TBD) as it is not yet known what issues or concerns may arise to trigger this activity, and their nature and extent
4. Possible creation of new graphics	TBD (cost per graphic basis, and depending on type and extent of illustrations needed)
5. Interim meetings and coordination	TBD, but a scenario based on the timeline of potential activities above yields \$1,800 (estimated 12 hours, with no mileage expense when conducted via conference call)
6. P&Z workshop preparation and facilitation	\$2,080 (estimated 14 hours, partly depending on extent of presentation and/or visuals needed; plus estimated \$30 mileage expense)
7. P&Z public hearing (as needed) preparation and support	\$2,360 (estimated 16 hours, partly depending on extent of presentation and/or visuals needed; plus estimated \$30 mileage expense)

Task	Potential Cost
8. P&Z meeting preparation and support	\$2,080 (estimated 14 hours, partly depending on extent of presentation and/or visuals needed; plus estimated \$30 mileage expense)
9. Final proposed Sec. 24-544 for City Council hearing and consideration phase	\$1,480 (estimated 10 hours, depending on extent of remaining issues and final review/edits needed)
10. Any other on-call research or supplemental effort	Hourly rate basis
11. Contract administration and monthly invoicing (KKC Business Manager)	\$225 (estimated 3 hours over 3 months)

Hourly billing rates for the designated KKC personnel are:

Gary Mitchell, AICP	President	\$160
David Baird, JD, AICP	Principal Associate	\$140
Kim Keast	Business Manager	\$75

KKC's cost figures include all associated labor cost plus professional fee. Per our 2020 rate schedule, all mileage expense would be billed at the current IRS rate (\$0.575 per mile). Minor in-office photocopying expense is also anticipated as part of completing this assignment.

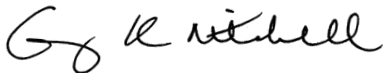
We would submit monthly invoices based on the actual costs incurred during the prior month in support of project work completed during that period. In lieu of typical monthly progress reporting – given the nature of and short timeline for this engagement and the City's desire to minimize cost – we instead would keep you apprised through routine communications of our work progress, any difficulties or delays encountered, and steps needed to address them.

I trust that the information we have provided is responsive to the needs of the City of Bellaire. While this is not a formal professional services proposal, the information we have outlined in this letter will remain valid for a period of 30 days, through March 7. After that date, we reserve the right to review and revise the potential timing, cost and any other specifics indicated that may factor into a final scope of services and work authorization.

Kendig Keast Collaborative greatly appreciates the opportunity to submit this response and potentially be of service again to the Bellaire community. We look forward to hearing from you and stand ready to assist with this highly significant initiative for Bellaire's future.

Respectfully submitted,

KENDIG KEAST COLLABORATIVE



Gary Mitchell, AICP  
President

**Gary K. Mitchell, AICP**  
**President**



Gary brings professional planning experience at the city, county and regional levels since 1989. Working as a community planning consultant since 1999, he is particularly adept at facilitating advisory committee processes, leading strategic planning workshops, and involving community leaders and residents in planning initiatives.

Gary regularly leads high-profile planning engagements in a variety of settings, addressing the gamut of community planning issues down to the corridor, district and neighborhood levels.

Topics addressed include land use, transportation, growth management and annexation, housing, economic development, infrastructure, community facilities, public services, bicycle/pedestrian circulation, parking, downtown revitalization, neighborhood conservation, environmental and cultural resources, park systems and trail networks, historic preservation, urban design, and transit-supportive station area planning.

His portfolio includes 50+ comprehensive plans – in communities ranging from 2,000 to 200,000 people – and his consulting work has taken him to 17 states (Arizona, Arkansas, Colorado, Florida, Illinois, Kansas, Louisiana, Nebraska, New Jersey, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Utah and Wyoming). He led a significant station area planning effort for a potential new commuter rail line in Chicago's south suburbs and contributed to other transit-supportive development projects in North Carolina, the Salt Lake City area and Houston; addressed community cohesiveness and socioeconomic considerations for a planned freeway corridor in the Phoenix area; and prepared a Trails Master Plan for fast-growing Pearland, Texas. Besides helping communities consider their long-range outlook and establish goals, policies and an action agenda, Gary enjoys moving beyond planning into meaningful implementation efforts. This includes work on zoning and other development codes, capital improvements planning, annexation assessments and planning, and pursuit of grant funds.

Gary began his public sector career as a Rockland County planner in New York's Hudson River Valley, where he dealt with suburban development challenges in the home of the famous Town of Ramapo growth management case. He later progressed to Chief Regional Planner for the Houston-Galveston Area Council, a metropolitan agency covering 13 counties with 4.5 million residents and 150 local governments (as of 1999). There he focused on intergovernmental and regional development issues involving urbanization, mobility, economic development and environmental enhancement, with significant involvement in the Galveston Bay Estuary Program and Plan.

During Gary's time in consulting, 12 communities he has assisted have received awards from divisions of the American Planning Association (APA) as outstanding examples of urban planning. In addition, a 1991 study he led of the Armand Bayou and Christmas Bay Coastal Preserves was recognized for "Excellence in Environmental Planning" by the Texas Chapter of APA. Gary has served in leadership positions with both the Texas Chapter and Houston Section of APA. He also lectured in the Texas A&M Department of Landscape Architecture & Urban Planning, co-teaching the Plan Implementation course for Master of Urban Planning candidates.

**EDUCATION**

- ◆ Master of Urban Planning, Texas A&M University, 1988
- ◆ B.A., Economics (with Highest Honors), University of Texas at Austin, 1986

**PROFESSIONAL REGISTRATION**

- ◆ American Institute of Certified Planners, #8987, 1991

**PROFESSIONAL AFFILIATIONS**

- ◆ American Planning Association (APA) – Texas Chapter Treasurer
- ◆ Chair, Professional Advisory Council, Texas A&M University Master of Urban Planning Program
- ◆ Phi Beta Kappa
- ◆ Omicron Delta Epsilon International Honor Society for Economics
- ◆ Tau Sigma Delta Honor Society for Architecture and Allied Arts

**PRESENTATIONS**

- ◆ *Growing and Strengthening Your Downtown, Bringing Back Main Street Downtown Revitalization Summit, Houston-Galveston Area Council (H-GAC), 2019*
- ◆ *From Planning to Persistence to Payoff (Nassau Bay Town Square), Texas APA 2018*
- ◆ *Developing Effective Public Engagement Plans, Fall Planning Workshop (H-GAC), 2016*
- ◆ *Designing with Nature, Planning for Sustainable Growth Workshop (H-GAC), 2010*
- ◆ *Creating Public Spaces, Texas Downtown Association Annual Conference (El Paso), 2010*
- ◆ *Plan to Achieve Your Image and Beautifications Goals, Keep Texas Beautiful Annual Conference (Houston), 2005*

#### EDUCATION

- ◆ J.D., University of Memphis School of Law
- ◆ M.A., Geography, Appalachian State University
- ◆ B.S., Geography, University of North Alabama

#### PROFESSIONAL REGISTRATIONS

- ◆ Tennessee State Bar #034135
- ◆ American Institute of Certified Planners, # 211679

#### PROFESSIONAL AFFILIATION

- ◆ APA Planning and Law Division

#### PUBLICATION

- ◆ Multimodal Travel Time Pilot Study, Medicine and Science in Sports and Exercise, 2010

#### PRESENTATIONS

- ◆ *Tennessee Landlord/Tenant Law*, Mid-South Peace and Justice Center: Know Your Rights Citizen's Forum, 2013
- ◆ *Multimodal Travel Time Pilot Study*, Pro-Walk Pro-Bike National Conference, 2010
- ◆ *NCDOT TIP Modifications for Watauga County, North Carolina on US-421*, MPO/RPO/NCDOT Coordination Meeting, 2005

### David Baird, JD, AICP

#### Principal Associate



David joined Kendig Keast Collaborative (KKC) as a graduate of the University of Memphis School of Law. David has worked as an urban and regional planner employed by a council of governments, a metropolitan planning organization, a municipal government, and in the role of a consultant. David is also a licensed attorney in the State of Tennessee.

Because of his unique background in both urban planning and law David centers his work as a project manager for our land development ordinance projects. David has managed the Columbus, NE Land Development Ordinance; Falmouth, ME Unified Development Code; Fulshear, TX Coordinated Development Ordinance; Plainview, TX Zoning Ordinance, Sign Ordinance, and Subdivision Regulations; and Rosenberg, TX Development Ordinance Revisions. David has also assisted the City of Magnolia, TX extensively in drafting and implementing their first-ever zoning ordinance, and in training city staff to effectively use their new Unified Development Code.

David has also played principal roles in multiple other zoning ordinance and unified development code projects for KKC, including Zoning and Land Development Regulations for Charleston County, SC; Zoning Ordinance and Sign Ordinance for Cedar Park, TX; Unified Development Ordinance for Manhattan, KS; Code Amendments in Aspen, CO; Land Use Code for Cortez, CO; Unified Development Code for Cuero, TX; and the development of an Airport Overlay Area for Valparaiso/Porter County, IN.

David's experience in zoning code development as a planner is what led him toward pursuing a law degree. While David does not actively practice law for KKC, his legal experience has been vital in many cases to KKC's understanding of the nuances of state laws throughout the country and how they are interpreted and applied in practice. David's background in law and urban/regional planning gives him the understanding of complex municipal issues from numerous viewpoints essential not only to assist local governments in successfully achieving their land use planning goals, but also to write ordinances and regulations that are legally enforceable.

While obtaining his law degree, David gained legal work experience as a municipal law clerk for a law firm who represents multiple municipal governments in the Memphis, TN metropolitan area. During his tenure at the law firm, he researched relevant case law, statutory authority, and city charter provisions to create legal memorandums for the law firm's attorneys in coordination with their municipal law practice.

As a city planner in McMinnville, TN, David developed a new Smart Growth Zoning District; created new regulations for the City's Historic Zoning; developed an Annexation Plan; reviewed subdivision, rezoning, special exception, and variance requests; and served as Technical Committee Chairman for Center Hill Rural Planning Organization (RPO).

# MEMORANDUM



Innovative approaches  
Practical results  
Outstanding service

11200 Broadway St., Suite 2320 + Pearland, Texas 77584 + 832-456-4700 + FAX 817-735-7491

[www.freese.com](http://www.freese.com)

**TO:** ChaVonne Sampson  
**FROM:** Shad Comeaux, AICP  
**SUBJECT:** Pre-Scope Inquiry for Professional Services (TRP Text Amendment 2020)  
**DATE:** 3/4/2020  
**PROJECT:** Zoning Text Amendment - TRP-Technical Research Park to North Bellaire Development District

Ms. Sampson,

Thank you for contacting Freese and Nichols, Inc. (FNI) regarding the development of a zoning district for the North Bellaire Development District.

In response to your request, FNI has prepared the following statement of experience, qualifications, and estimated hours and cost by the task. Please note that the hours and costs are estimates and are subject to change based on a more detailed understanding of the scope.

FNI is willing to work with the City to adjust the scope to accommodate the City's needs better. For example, *Task 5. Interim Meetings and Coordination* could be conducted as conference calls (as proposed herein) or could be rescope as in-person meetings. Additionally, in-person meetings with City Staff can be programmed to occur on the same day as Planning & Zoning meetings. We would like to discuss the City's needs and objectives for this process to provide a more detailed scope of services and the associated fee.

At your convenience, please review the attached information and let me know if you have any questions. We look forward to hearing from you.

Thank you,

A handwritten signature in black ink, appearing to read 'Shad Comeaux'.

Shad Comeaux, AICP

FNI Response to Pre-Scope Inquiry for Professional Services  
Page 2 of 2

Task	Estimated Hours	Estimated Cost
1. Critique current draft Sec. 24-544 and prepare the resulting memorandum	Erica Craycraft – 8 hours Daniel Harrison – 4 hours Dan Sefko – 1 hour	\$2,267
2. Review Bellaire Place materials	Erica Craycraft – 8 hours Daniel Harrison – 8 hours Dan Sefko – 2 hours	\$3,282
3. Possible drafting of new/modified provisions	Erica Craycraft – 32 hours Daniel Harrison – 8 hours Dan Sefko – 1 hour	\$6,779
4. Possible creation of new graphics	Gail Ferry Katalenas – 24 hours Bryan Gant – 8 hours Erica Craycraft – 2 hours Daniel Harrison – 1 hour	\$5,128
5. Interim meetings and coordination	Bi-Weekly or Monthly Conference Calls: Erica Craycraft – 2 hours Daniel Harrison – 2 hours Shad Comeaux – 1 hour	\$886/month
6. P&Z workshop preparation and facilitation	Erica Craycraft – 20 hours Daniel Harrison – 16 hours Shad Comeaux – 1 hour	\$7,115/meeting
7. P&Z public hearing (as needed) preparation and support	Erica Craycraft – 20 hours Daniel Harrison – 16 hours Shad Comeaux – 1 hour	\$7,115/meeting
8. P&Z meeting preparation and support	Erica Craycraft – 20 hours Daniel Harrison – 16 hours Shad Comeaux – 1 hour	\$7,115/meeting
9. Final proposed Sec. 24-544 for City Council hearing and consideration phase	Erica Craycraft – 16 hours Daniel Harrison – 4 hours Dan Sefko – 1 hour	\$2,894
10. Any other on-call research or supplemental effort	Hourly fee for requested effort	N/A
11. Contract administration and monthly invoicing	Erica Craycraft – 2 hours/month Stephanie Kirchstein – 0.5 hours/month	\$394/month
12. Hourly billing rates for the designated personnel	Erica Craycraft – \$148/hour Daniel Harrison – \$180/hour Gail Ferry Katalenas – \$135/hour Bryan Gant – \$141/hour Shad Comeaux – \$188/hour Dan Sefko – \$254/hour Alexis Garcia – \$118/hour Stephanie Kirchstein – \$153/hour	N/A

# MEMORANDUM



Innovative approaches  
Practical results  
Outstanding service

[www.freeze.com](http://www.freeze.com)

Choose Office

**TO:** ChaVonne Sampson  
**CC:**  
**FROM:** Shad Comeaux, AICP  
**SUBJECT:** Pre-Scope inquiry for Professional Services (TRP Text Amendment 2020)  
**DATE:** 2/6/2020  
**PROJECT:** Zoning Text Amendment - TRP-Technical Research Park to North Bellaire Development District

This is a high-level memo to provide a range of hours and fees regarding your email describing possible deliverables or scope of work. We are providing ranges since a formal scope of work has not been finalized. This is also based on our understanding and can be tweaked later once more detail on the scope of work is developed. We see this effort as follows:

- Analysis and Report on Amendment
  - Ordinance Review and Analysis
  - Design a hypothetical project to test ordinance
- Review Ordinance or Draft New Ordinance
  - Assumes this district only
- Per Meeting Attendance, includes expenses
  - \$3,000 per meeting (Includes one person in attendance and meeting prep)

The above effort outlined can range between 150 – 170 hours and a fee range between \$35,000 to \$40,000. The range is dependent on the number of meetings. As mentioned earlier, these estimates are based on limited information. Keep in mind the fee range could be less once a formal scope of work is developed. Let me know if you have any further questions. Thanks.

Sincerely,

A handwritten signature in black ink, appearing to read 'Shad Comeaux', with a stylized flourish at the end.

Shad Comeaux, AICP





## ERICA CRAYCRAFT, AICP, LEED® GREEN ASSOCIATE

### PROJECT MANAGER

Erica Craycraft is a Project Manager and an Urban Planner, focusing on current and long-range planning services for public sector clients. She is experienced in zoning regulations (including conventional and form-based), subdivision regulations, comprehensive planning and growth management. She has extensive knowledge of Texas law regarding development regulations, including recent legislative changes that affect local governments. Erica has a firsthand understanding of cities' day-to-day development and planning practices by providing development review services for client cities. She is actively involved in professional development and growth in her field.

#### EXPERIENCE

12 years

#### EDUCATION

Master of Community Planning,  
Economic Development,  
University of Cincinnati

BA, Psychology, University of  
Cincinnati

#### REGISTRATION

American Institute of Certified  
Planners, #025104

LEED® Green Associate,  
#10674973

#### PROFESSIONAL AFFILIATIONS

American Planning Association

*“The FNI team was quite exceptional and we feel like we got an excellent comp plan which truly exceeded our budget. Erica in particular was a great partner and seamless to work with; she responded on time, kept us in the loop on progress, allowed time for us to respond to requests, and made great effort to ensure our participation.”*

— Will Rugeley  
Director of Planning  
City of Fate

#### RELEVANT PROJECT EXPERIENCE

**Building and Development Code | City of Longview** | Project Manager

**Unified Development Code | City of Buda** | Project Manager

**Zoning and Subdivision Regulations and Development Guide | City of Canyon** | Project Manager

**Zoning Code | City of Duncanville** | Project Manager

**Zoning Code Land Use Matrix | City of Sugar Land** | Project Manager

**Unified Development Ordinance | City of Portland** | Project Manager

**Zoning Ordinance | City of North Richland Hills** | Project Manager

**Unified Development Code and Development Guide | City of Corinth** | Project Planner

**Development Code | St. Tammany Parish, LA** | Project Manager

**Zoning and Subdivision Regulations | Oklahoma County, OK** | Project Planner

**Comprehensive Plan | City of Georgetown** | Project Manager

**Comprehensive Plan | City of Port Lavaca** | Project Manager

**Comprehensive Plan | City of Portland** | Project Manager

**Comprehensive Plan | City of Cedar Park** | Project Manager

**Comprehensive Plan | City of Lago Vista** | Project Manager



## SHAD COMEAUX, AICP

### QUALITY ASSURANCE

Shad Comeaux is an FNI Associate and Project Manager in the firm's Urban Planning + Design group. Additionally, he leads the urban planning efforts in the Southeast Division. As a Project Manager, Shad has led a variety of planning projects, including comprehensive plans, campus master plans and downtown/small area plans. He has applicable experience in zoning, future land use and redevelopment. His passion for client service provides open communication, timely responsiveness and efficient project delivery. Shad's experience with community and stakeholder involvement allows him to address specific needs and concerns of clients, while also building consensus among citizens. His experience with assisting communities and institutions through visioning, goal-setting and priority recommendations, has allowed him to develop and utilize a variety of techniques to gather information during any stage of the planning process.

As a former municipal planner, Shad has unique insight into challenges and opportunities that leads to plans that are based in reality, with implementation strategies that are achievable.

### RELEVANT PROJECT EXPERIENCE

**Vision 20/20 Downtown Plan | City of Wichita Falls** | Urban Planner

**Strategic Plan | City of Aledo Economic Development Corporation** | Urban Planner

**Zoning District Review | City of Pearland** | Project Manager

**Zoning Ordinance | City of Port Arthur** | Client Representative

**Mixed Use Zoning District | City of Desoto** | Urban Planner

**Capital Improvement Plan Development | City of Port Arthur** | Project Manager

**Comprehensive Plan and Opportunity Areas | City of Duncanville** | Project Manager

**Comprehensive Plan - Central Area | City of Farmers Branch** | Urban Planner

**Comprehensive Plan | Marsh Darcy Partners, Inc.** | Project Manager

**Comprehensive Plan | City of Stafford** | Project Manager

**Comprehensive Plan | City of Burleson** | Urban Planner

**Comprehensive Plan | City of Longview** | Urban Planner

**Comprehensive Plan | City of Mesquite** | Project Manager

**Comprehensive Plan | City of Conroe** | Project Manager

**Comprehensive Plan | City of Seabrook** | Project Manager

### EXPERIENCE

20 years

### EDUCATION

MCRP, Planning, University of Texas at Arlington

BED, Architecture, Texas A&M University

### REGISTRATION

American Institute of Certified Planners #025151

### PROFESSIONAL AFFILIATIONS

American Planning Association  
- Director-Elect for Houston Section



## DANIEL HARRISON, AICP

### QUALITY CONTROL

Daniel Harrison is an FNI Associate, Senior Urban Planner and an experienced Project Manager with long-range (e.g., visioning) and current planning (e.g., development codes) experience. His primary responsibilities include comprehensive planning, current planning, public participation and population projections for a range of client types, from small- to mid-sized cities, counties and school districts. Daniel is also the creator of FNI's model for developing modern zoning and subdivision ordinances. He creates development regulations that are practical, user-friendly, clear and conducive to quality land development. Daniel's extensive comprehensive planning experience provides him with a realistic understanding of implementing a community's vision through development ordinances.

#### EXPERIENCE

18 years

#### EDUCATION

MCRP, Land Use and Physical Planning, University of Texas at Arlington

MPA, Economic Development and Planning, University of Texas at Arlington

BA, Government, University of Texas at Austin

#### REGISTRATION

American Institute of Certified Planners #023037

#### PROFESSIONAL AFFILIATIONS

American Planning Association

*“Daniel has exhibited superb political acumen, subject expertise and a professional communication style that deftly translates complex subjects into digestible formats for laypersons. Daniel is precisely the type of consultant, and person, that we expect when we contract with Freese and Nichols, Inc. – a consummate professional.”*

– Chris Fuller  
Deputy City Manager  
City of Colleyville

#### RELEVANT PROJECT EXPERIENCE

**On-Call Planning | City of Anna | Urban Planner**

**Zoning Ordinance | City of Port Arthur | Project Manager**

**Comprehensive Plan and Zoning Ordinance | City of Richland Hills | Urban Planner**

**Zoning Ordinance | City of Midland | Project Manager**

**Overlay Zoning Districts | City of Glen Rose | Project Manager**

**Unified Development Code | City of Buda | QA/QC**

**Corinth Unified Development Code | City of Corinth | Project Manager**

**Brady Lake Zoning | City of Brady | Project Manager**

**Zoning and Subdivision | Town of Fairview | Project Manager**

**Subdivision Ordinance | Town of Prosper | Project Manager**

**Subdivision and Zoning Ordinances | City of Gonzales | Project Manager**

**Zoning Ordinance | Town of Highland Park | Urban Planner**

**Unified Development Code | City of Garland | Urban Planner**

**Update Zoning Ordinance | City of Frisco | Project Manager**

**Zoning Ordinance | City of Balch Springs | Project Manager**

**Planned Development Zoning District | City of Red Oak | Project Manager**



## ALEXIS GARCIA, AICP

### PROJECT PLANNER

Alexis Garcia is an FNI Urban Planner with a focus on identifying long-range planning solutions for primarily public sector clients. She is experienced in providing development review services, comprehensive planning, data collection and analysis, corridor studies, visioning and community engagement, and has led public involvement initiatives for planning projects. Prior to joining FNI, Alexis worked for the City of Mesquite.

### RELEVANT PROJECT EXPERIENCE

#### EXPERIENCE

7 years

#### EDUCATION

BS, Urban and Regional Science,  
Texas A&M University

#### REGISTRATION

American Institute of Certified  
Planners #31244

#### PROFESSIONAL AFFILIATIONS

American Planning Association

**Development Code | St. Tammany Parish, LA | Project Planner**

**Zoning and Subdivision Regulations | City of Port Arthur | Assistant Project Manager**

**Unified Development Code | City of Buda | Project Planner**

**Development Review Services | City of Pearland | Project Planner**

**Planned Development Industrial District | City of Pearland | Project Planner**

**Zoning Code Land Use Matrix | City of Sugar Land | Project Planner**

**Subdivision Regulations | Brazoria County | Project Planner**

**Comprehensive Plan | City of Mesquite | Project Planner**

**Comprehensive Plan | City of Missouri City | Project Planner**

**Comprehensive Plan | City of Texas City | Project Planner**

**Comprehensive Plan | City of Jersey Village | Project Planner**

**Zoning Code Land Use Matrix | City of Sugar Land | Project Planner**

**Comprehensive Plan | City of Seabrook | Project Planner**



## BRYAN GANT

### MAPPING

As Senior GIS Analyst for the Planning Group, Bryan Gant has an extensive background in numerous GIS mapping programs, including ESRI ArcGIS Online and Business Analyst and AutoCAD. Bryan's responsibilities include land use field collection, data manipulation and a wide variety of presentation strategies.

### RELEVANT PROJECT EXPERIENCE

**Zoning Ordinance | City of Balch Springs** | GIS Analyst

**Brady Lake Zoning | City of Brady** | GIS Analyst

**Building and Development Code | City of Buda** | GIS Analyst

**Unified Development Code | City of Corinth** | GIS Analyst

**Frisco Update Subdivision Ordinance | City of Frisco** | GIS Analyst

**Unified Development Code | City of Garland** | GIS Analyst

**Unified Development Code | City of Longview** | GIS Analyst

**Subdivision Ordinance | City of Midwest City** | GIS Analyst

**Building and Development Ordinance | Town of Sunnyvale** | GIS Analyst

**Zoning and Subdivision Regulations Update | Oklahoma County, OK** | GIS Analyst

**Development Code | St. Tammany Parish, LA** | GIS Analyst

**Zoning, Map and Subdivision Ordinances | City of Denison** | GIS Analyst

### EXPERIENCE

37 years

### EDUCATION

BS, Landscape Architecture,  
University of Texas at Arlington

### REGISTRATION

N/A

### PROFESSIONAL AFFILIATIONS

N/A