The City Council of the City of Bellaire, Texas, met in Special Session on Monday, July 19, 2010, in the Council Chamber, First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas 77401, for the following purpose(s):

A. CALL TO ORDER AND ANNOUNCEMENT OF A QUORUM – Mayor Cindy Siegel.

Mayor Siegel called the City Council of the City of Bellaire, Texas, to order at 6:30 p.m. on Monday, July 19, 2010.

Also present were Mayor Pro Tem Phil Nauert, Councilmen Will Hickman, James P. Avioli, Sr., Corbett Daniel Parker, and Andrew Friedberg, Councilwoman Mandy Nathan, City Manager Bernard M. Satterwhite, Jr., City Attorney Alan P. Petrov, and City Clerk Tracy L. Dutton.

B. READING OF NOTICE OF PUBLIC HEARING – City Clerk Tracy L. Dutton.

City Clerk Dutton read the Notice of Public Hearing into the record.

C. SUMMARY OF PUBLIC HEARING PROCEDURE – City Manager Bernard M. Satterwhite, Jr.

City Manager Satterwhite summarized the public hearing procedure for the evening.

D. PRESENTATION regarding an application and request submitted by 5177 Builders, Ltd. (dba Lovett Homes), for a planned development to be called Alder Circle on a 1.68 acre site located on Alder Drive and currently addressed as 5711 Bissonnet Street (between Alder Drive and Whitehaven Street), Bellaire, Texas, in the R-M.3 Residential-Commercial Mixed-Use District in the City of Bellaire, Texas – Presentation by Representative(s) of 5177 Builders, Ltd.

Richard Warne, Lovett Custom Homes, 1520 Oliver Street, Houston, Texas, advised that he was present this evening to propose a development of 1.68 acres located south of Bissonnet Street, west of Alder Drive, and north of Whitehaven Street. The property backed up to an existing strip shopping center on the north, and existing residential homes on the south. There was another commercial building to the west of the property.
Lovett Custom Homes met with most of the adjoining residential property owners to the south and had listened and tried to address all of their concerns pertaining to the development.

Lovett Custom Homes was proposing a residential planned development for the property, currently zoned R-M.3 (a residential-commercial mixed-use zoning district).

The development would contain 13 lots and the residences placed on those lots would be constructed of brick and stucco. The garages would be set back at least 17 feet (versus the minimum ten-foot setback) to allow extra parking in the driveways. A homeowners association would be set up to manage some of the features in the subdivision, such as onsite detention that would be privately maintained, managed, and funded by said association. Based on Lovett Custom Homes’ forecast of sales prices, the property should generate $8 to $9 million in incremental value.

A traffic analysis was performed and presented to the Bellaire Planning and Zoning Commission. The traffic analysis essentially stated that there would be no substantial increase in the traffic in the area as a result of the subdivision.

The development would have a theme throughout, such as a French or European flair. The subdivision itself would consist of a new street to be called Alder Circle. The street would have a cul-de-sac at the end, with six houses on the north side of the street and seven on the south side of the street. All of the houses would front Alder Circle and all driveways would come off of Alder Circle.

Mr. Warne indicated that the drainage and detention was a major concern for the adjacent homeowners and the Bellaire Planning and Zoning Commission. The initial engineering plan had all of the water from the subdivision flowing into two detention tanks. Those tanks, in turn, were draining onto Alder Street. Since the last hearing, it was determined that there was a ten-foot storm sewer easement that flowed from the Lovett Custom Homes property to an existing storm sewer on Bissonnet Street. Now, all of the water from the entire subdivision would drain into Alder Circle into some inlets, which would, in turn, go into some detention tanks that would be located at the back of the subdivision and exit out to the north into existing storm sewers on Bissonnet Street. Therefore, no water would be exiting the subdivision onto Alder Street.

The homes would be constructed using 2’ X 6’ exteriors for a sturdier feel and additional insulation. Tankless water heaters would be installed in all residences, as well as high-efficient air conditioners, and radiant shields on all roofs.
E. RECOGNITION OF CITIZENS AND/OR OTHER INTERESTED PARTIES – Mayor Cindy Siegel.

Robert Riquelmy, 506 Winslow Lane, Bellaire, Texas:

Mr. Riquelmy addressed City Council and stated that the plan before City Council this evening was very similar to a plan presented to the Bellaire Planning and Zoning Commission and rejected. That plan never made it to City Council. He stated that he was curious as to the difference in the two plans.

Lynn McBee, 5314 Evergreen Street, Bellaire, Texas:

Ms. McBee addressed City Council and noted that the Planning and Zoning Commission and City Council had not been provided the specific regulations that governed the property that Lovett Custom Homes planned to develop. For example, the general regulations (Chapter 24, Section 24-513, City Code) referred to screening and buffering between higher and lower residential densities with, for example, screening walls or fences between the planned development and abutting residential properties. The northernmost row of homes proposed for Alder Circle would back up to the existing commercial shopping center. Ms. McBee urged City Council to ensure that those homes were screened from that center. In addition, the regulations set forth certain front and side lot building lines for such a development, as well as landscaping. She recommended that City Council review the regulations.

With respect to utilities and related services, Ms. McBee advised that the City of Houston would be providing water service for the subdivision. Garbage pickup was not yet clear. She mentioned the need for the City of Bellaire to co-partner with the City of Houston with respect to this subdivision.

In closing, Ms. McBee was in support of the subdivision.

Mayor Siegel read one written comment into the record from Jimmy Griffin, 5603 Whitehaven Street, Bellaire, Texas.

Mr. Griffin addressed City Council in his letter and noted that he was opposed to the planned development amendment submitted by Lovett Custom Homes for the following reasons: 1) the builder failed to comply with the statutory demand for site coverage of not greater than 60%; 2) the construction would adversely impact the drainage of neighboring homes already classified as within the floodplain; 3) the development fit neither the characteristics of the contiguous residential community nor the commercial development from which it was carved; 4) Bellaire should not take on the responsibility of the street maintenance; and 5) Bellaire should not rely upon any homeowners association to maintain drainage facilities or the City of Houston to provide utilities.
F. QUESTIONS FROM THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS – Mayor Cindy Siegel.

Members of City Council asked questions of Richard Warne of Lovett Custom Homes and Director of Community Development John McDonald regarding the Alder Circle residential planned development.

One question was raised regarding the expected sales price of the homes on Alder Circle to which Mr. Warne advised that he was anticipating a sales price range of $600,000 to $700,000.

With respect to buffering, it was noted that an eight-foot perimeter fence would be constructed around the entire subdivision. Trees would also be planted on individual lots.

Mr. Warne responded to questions regarding utilities by advising that the City of Houston would provide water and wastewater services, noting that Alder Drive was located in the City of Houston.

Director McDonald indicated that the setbacks for the development were as follows: ten-foot front setback; eight feet between homes; and ten-foot rear setbacks. Mr. Warne advised that the homes would have two-car garages with setbacks of approximately 17 feet (to allow extra parking on driveways).

Lighting for the subdivision was discussed and Mr. Warne advised that there were no plans for streetlights. He indicated that one light did exist at the front of the entrance to the subdivision on Alder Drive.

Other questions related to homeowners’ associations and issues that might surround the maintenance of the detention tanks. Mr. Warne advised that his company had not experienced problems with associations in the past.

With respect to comments made by a resident regarding the fact that the development before City Council looked similar to a development that was rejected by the Planning and Zoning Commission, it was noted that the previous development was denser (i.e., 17 homes versus 13) and gated with a private street. The private street was considerably smaller (i.e., 20-22 feet in width), which was of concern to the Fire Marshall and Fire Chief.

G. CLOSE OF PUBLIC HEARING – Mayor Cindy Siegel.

Mayor Siegel closed the public hearing before City Council regarding the request from 5177 Builders, Ltd., for a planned development permit for the Alder Circle residential planned development at 7:30 p.m. on Monday, July 19, 2010. It was noted that no oral comments would be accepted after the close of the public hearing. Written comments could be submitted to City Council in care of the City Clerk until noon on Thursday, July 29, 2010, in order to be considered for the record.
H.  ADJOURNMENT.

Councilwoman Nathan moved to adjourn the Special Session (Public Hearing on Alder Circle Planned Development) of the City Council of the City of Bellaire, Texas, at 7:30 p.m. on Monday, July 19, 2010. Mayor Pro Tem Nauert seconded the motion. The motion carried unanimously on a 7-0 vote as follows:

FOR: Mayor Siegel, Mayor Pro Tem Nauert, Councilmen Hickman, Avioli, Parker, and Friedberg, and Councilwoman Nathan

OPPOSED: None

ABSENT: None

Respectfully submitted,

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Tracy L. Dutton, TRMC
City Clerk
City of Bellaire, Texas

Approved:

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Cynthia Siegel, Mayor
City of Bellaire, Texas