CITY COUNCIL MEETING MINUTES
MONDAY, FEBRUARY 21, 2011

The City Council of the City of Bellaire, Texas, met in Special Session (Public Hearing) on Monday, February 21, 2011, 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 6:05 p.m. on Monday, February 7, 2011.

Also present were Mayor Pro Tem Phil Nauert, Councilmen James P. Avioli, Sr., Corbett Daniel Parker, and Andrew Friedberg, Councilwoman Mandy Nathan, City Manager Bernard M. Satterwhite, Jr., and City Clerk Tracy L. Dutton. Councilman Hickman arrived at 6:12 p.m.

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

City Clerk Dutton read the “Notice of Public Hearing” into the record. It was stated that the “Notice of Public Hearing” was posted on the City of Bellaire’s website and bulletin board on Tuesday, February 1, 2011, at 2:15 p.m., and published in the legal notices section of the Southwest News on Tuesday, February 1, 2011.

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 of revisions proposed by the Community Development Department and approved and recommended by the Planning and Zoning Commission of the City of Bellaire, Texas, to the Code of Ordinances of the City of Bellaire, Texas (“City Code”), Chapter 24, Planning and Zoning, Article VI, Amendatory Procedures, Section 24-611, Required Signs, for the purpose of adding a requirement for a sign to be posted on the site of an application for a specific use permit a minimum of fifteen (15) days prior to any public hearing that may be required and to the City Code, Chapter 24, Planning and Zoning, Article VII, Variances, Special Exceptions,
Appeals and Nonconformities, Division 2, Special Exceptions, Section 24-716, Authority, for the purpose of clarifying the authority previously granted to the Board of Adjustment of the City of Bellaire, Texas, with regard to special exceptions – Presentation by Director of Community Development John McDonald.

Director of Community Development McDonald presented the revisions proposed by the Community Development Department ("City Staff") and approved and recommended by the Planning and Zoning Commission of the City of Bellaire, Texas ("Commission") to Chapter 24, Planning and Zoning, of the Code of Ordinances of the City of Bellaire, Texas ("City Code").

The first revision presented to the Commission by City Staff was to Section 24-611, Required Signs, of Chapter 24, Planning and Zoning, of the City Code. This revision would amend the required signs for a zoning process. Currently, an applicant requesting a planned development amendment or a zoning map change was required to post a sign on the property affected regarding the date, time, location, and subject of a public hearing to be held on such property. City Staff was requesting the phrase “specific use permit” be added to Section 24-611 in order to provide City Staff an additional way to inform the public with respect to specific use permits. The signs would be provided by and installed by the applicant requesting a specific use permit.

The second revision presented to the Commission by City Staff reflected a language "cleanup" to Section 24-716, Authority, of Chapter 24, Planning and Zoning, of the City Code. This section granted the Board of Adjustment specific authority over special exceptions. There were two areas where authority was granted to the Board of Adjustment. Later, within that same division of the City Code, another power was given to the Board of Adjustment with regard to special exceptions. That power, however, was not clearly tied to their authority under Section 24-716.

E. RECOGNITION OF CITIZENS AND/OR OTHER INTERESTED PARTIES – Mayor Cindy Siegel.

Lynn McBee, 5314 Evergreen Street, Bellaire, Texas:

Ms. McBee addressed City Council and indicated that she had a question on the signage, which might not be relevant to the language presented to City Council by City Staff. She indicated that considerable discussion and questions of the Community Development Department had been raised regarding communication to citizens. She noted that the legal property owner was advised of any change or proposal, but the person or persons living in a home on a particular property were not contacted. Ms. McBee did not know if such a requirement belonged under this area of the City Code or not. She felt that those who resided in the City should be allowed some notification of changes that occurred on their block or thereabouts.
She applauded City Staff’s recommendation to add signage for specific use permits to the City Code, which would allow for more notification to the citizenry, and thanked the Planning and Zoning Commission for proposing the change.

F. QUESTIONS FROM THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS – Mayor Cindy Siegel.

The Mayor and members of City Council asked questions of Community Development Director McDonald regarding the proposed revisions to Chapter 24, Planning and Zoning, of the City Code.

G. CLOSE OF PUBLIC HEARING – Mayor Cindy Siegel.

Mayor Siegel closed the public hearing before the City Council of the City of Bellaire, Texas, at 6:14 p.m. on Monday, February 21, 2011. She advised that oral comments would not be received following the close of the public hearing. Written comments could be submitted to the City Council of the City of Bellaire, Texas, in care of the City Clerk prior to final deliberation on the matter. It was anticipated that final deliberation would occur on Monday, March 7, 2011; therefore, written comments should be submitted to the City Clerk by noon on Thursday, March 3, 2011.

H. ADJOURNMENT.

Councilwoman Nathan moved to adjourn the Special Session (Public Hearing) of the City Council of the City of Bellaire, Texas, at 6:14 p.m. on Monday, February 21, 2011. 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