CITY COUNCIL MEETING MINUTES
MONDAY, JANUARY 16, 2012

The City Council of the City of Bellaire, Texas, met in Special Session (Public Hearing) on Monday, January 16, 2012, 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 Philip L. Nauert.

Mayor Philip L. Nauert called the City Council of the City of Bellaire, Texas, to order at 6:03 p.m. on Monday, January 16, 2012.

Also present were Councilmen Roman F. Reed, James P. Avioli, Sr., Corbett Daniel Parker, Pat B. McLaughlan, and Andrew S. Friedberg, Councilwoman Amanda B. 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 Tracy L. Dutton read the “Notice of Public Hearing” that was published in the City’s newspaper of record, the Southwest News, on Tuesday, December 27, 2011, and posted on the City’s official bulletin board on Tuesday, December 27, 2011, by Rebecca Eppler, Administrative Secretary to the Community Development Department.

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

City Manager Bernard M. Satterwhite, Jr., summarized the public hearing procedures for the evening.

D. PRESENTATION regarding proposed revisions to the Code of Ordinances of the City of Bellaire, Texas, Chapter 24, Planning and Zoning, Article V, Zoning Regulations, Division 2, Zoning District Regulations, Section 24-536(E)(1), R-M.1 Residential-Commercial Mixed-Use District, Planned Development: Commercial, for the purpose of reducing the minimum site area for a commercial planned development to one acre; Article V, Zoning Regulations, Division 2, Zoning District Regulations, Section 24-538(e)(1), R-M.3 Residential-Commercial Mixed-Use District, Planned Development: Commercial, for the purpose of reducing the minimum site area for a commercial
planned development to one acre; and Article VI, Amendatory Procedure, Section 24-611, Required Signs, for the purpose of amending the regulations governing the specifics of the required sign for certain hearings – Presentation by Director of Community Development John McDonald.

Director of Community Development John McDonald presented the proposed revisions to the Code of Ordinances of the City of Bellaire, Texas ("Code"), Chapter 24, Planning and Zoning, Article V, Zoning Regulations, Division 2, Zoning District Regulations, Section 24-536(E)(1), R-M.1 Residential-Commercial Mixed-Use District, Planned Development: Commercial, and Section 24-538(e)(1), R-M.3 Residential-Commercial Mixed-Use District, Planned Development: Commercial, and Article VI, Amendatory Procedure, Section 24-611, Required Signs.

The purpose for the proposed revisions to the Code with respect to Sections 24-536(E)(1) and 24-538(e)(1), was to allow for a planned development with a minimum area of one (1) acre versus three (3) acres as currently required. It was noted that there were no three-acre parcels available in either the R-M.1 Residential-Commercial Mixed-Use District or the R-M.3 Residential-Commercial Mixed-Use District. It was noted further that a developer had brought forward a possible project for one of the zoning districts that was smaller than three acres. The Planning and Zoning Commission felt that it was appropriate to recommend a reduction in the area for commercial planned developments from three (3) acres to one (1) acre.

The purpose of the proposed revisions to the Code with respect to Section 24-611, was to increase the size of required signs advertising public hearings related to zoning matters to 32 square feet (with placement 15 feet from the street). Additionally, required wording for such signs was provided in the proposed revision.

E. RECOGNITION OF CITIZENS AND/OR OTHER INTERESTED PARTIES – Mayor Philip L. Nauert.

Greg Lewis, 4506 Park Court, Bellaire, Texas, addressed City Council in support of the revisions to the required area for commercial planned developments. He indicated that he was interested in developing 1.48 acres at Bissonnet Street and Howard Lane that would include a site plan and architecture that would better serve the neighborhood.

Lynn McBee, 5314 Evergreen Street, Bellaire, Texas, addressed City Council in opposition to the revisions to the required area for commercial planned developments. She indicated that she was concerned that City Council would take a risk of being held accountable for spot zoning and suggested a comprehensive plan review by Kendig Keast Collaborative before making any revisions.
Ms. McBee advised that she supported the proposed revisions to the Code with respect to required signs.


Mayor Philip L. Nauert disclosed the fact that he owned a piece of commercial property within the R-M.1 Residential-Commercial Mixed-Use District, which was potentially affected by any changes in regulations in the area. While he could not see that changing the regulations would materially affect him or his standing in any way, he wished to recuse himself from deliberation or questions at this time, as well as to recuse himself from voting on the matter when it was brought forward to City Council at a later time. He remained at the Council dais to moderate the discussion, but did not participate or express an opinion of any kind.

Members of City Council were given an opportunity to ask questions of Community Development Director John McDonald and Chair Michael Doyle of the Planning and Zoning Commission regarding the proposed revisions to Chapter 24, Planning and Zoning, of the Code.

G. CLOSE OF PUBLIC HEARING – Mayor Philip L. Nauert.

Mayor Philip L. Nauert, after noting that members of City Council had no further questions regarding the proposed revisions to Chapter 24, Planning and Zoning, of the Code, closed the public hearing at 6:48 p.m. on Monday, January 16, 2012. Mayor Nauert advised that public comment would not be received following the close of the public hearing; however, written comments could be submitted to the Bellaire City Council in care of City Clerk Tracy L. Dutton prior to final deliberation on the matter. It was anticipated that final deliberation would occur on Monday, February 20, 2012. Written comments, should, therefore, be submitted by noon on Thursday, February 16, 2012.

H. ADJOURNMENT.

The Special Session (Public Hearing) of the Bellaire City Council was adjourned at 6:49 p.m. on Monday, January 16, 2012.

Respectfully submitted,

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

Philip L. Nauert, Mayor
City of Bellaire, Texas